

Coastal Zone
Information
Center

CITY OF DUNEDIN

Waterfront Utilization And Access Program

COASTAL ZONE
INFORMATION CENTER

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CITY OF DUNEDIN

Waterfront Utilization And Access Program

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ARCHITECTS AND PLANNERS

ARKY, FREED, STEARNS, WATSON & GREER
ATTORNEYS AT LAW

MAY, 1984

THIS STUDY WAS FINANCED BY THE DEPARTMENT OF ENVIRONMENTAL
REGULATIONS AND BY THE COASTAL ZONE MANAGEMENT ACT OF
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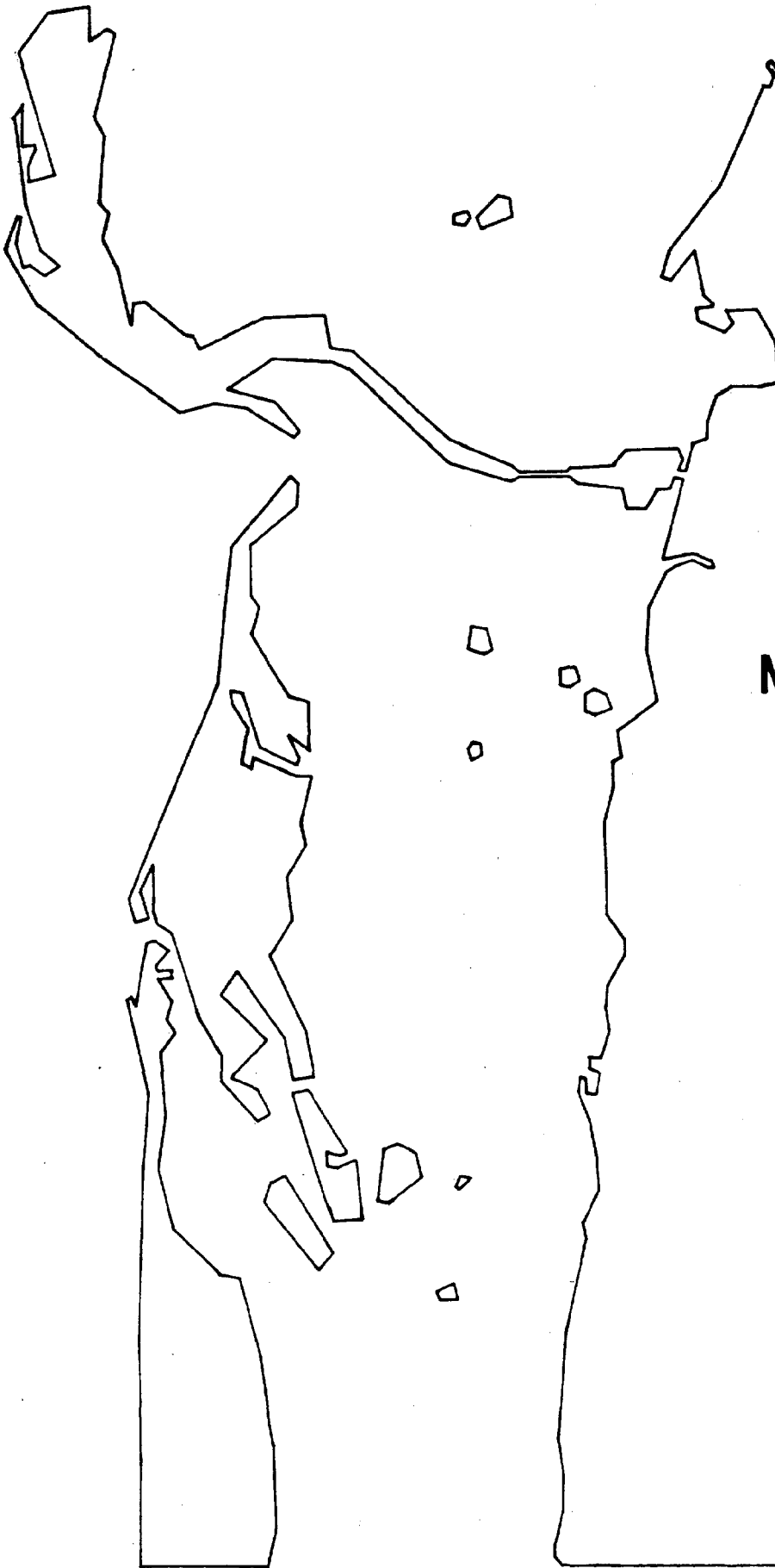
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**WATERFRONT
UTILIZATION
PROGRAM**

**INTRODUCTION
AND
METHODOLOGY**



INTRODUCTION AND METHODOLOGY

The diverse goals established in the DUNEDIN 2000 - COMPREHENSIVE PLAN express the importance of and unique role that the coastal waterfront plays in the continuing image, promotion, and overall quality of life for the City of Dunedin. To help achieve these goals, several plans have been completed in the recent past which covered a variety of waterfront issues, but not in a comprehensive study. Working in conjunction with the City of Dunedin's Planning Division, this report was developed to provide the comprehensive overview.

The goal of this plan is to demonstrate the feasibility and positive impact of utilizing Dunedin's waterfront as an integral aspect in the City's future. To help achieve this goal, a set of policies was established:

1. To create the waterfront experience into a "sequence of events". The sequence does not require all "events" to be on the waterfront, but in some manner encourages the utilization of the waterfront. The utilization of the waterfront can include recreational, aesthetic, and environmental purposes, or for commercial and residential development, or for a combination thereof.
2. To provide guidelines so the future growth of Dunedin is sensitive and oriented to the waterfront.
3. To utilize previous reports and studies as an integral part of this study.

To accomplish this project, the overall study area was divided into five (5) geographical sub-study areas which were examined as follows:

1. Existing conditions were studied including: land use, zoning, transportation, etc.
2. Previous planning reports were reviewed.
3. Laws, statutes, and ordinances were reviewed as they relate legally to each area.

From the extensive examination, two (2) alternative land use plans were developed that illustrated possible future growth patterns for each sub-area. These alternatives were then presented to the public for input via:

1. A total of four (4) public hearings
2. Selected citizen steering committee
3. Downtown Technical Advisory Committee

After which, the public recommendations were analyzed, and working in conjunction with the planning department, a set of final recommendations evolved and are presented in this report.

As Dunedin and surrounding communities continue to expand, the demand for access and utilization of Dunedin's waterfront will increase accordingly. It is the intention of this plan to present guidelines for the City of Dunedin to implement a feasible program that will maximize the utilization of the waterfront and direct future growth.

SUMMARY OF RECOMMENDATIONS

Due to the nature, complexity and size of the waterfront area, the recommendations for each sub-area are also detailed.

1. AREA B - DOWNTOWN: The concept for super block development for the marina needs to be assembled and promoted by the City. The redevelopment strategy for the remainder of the downtown area needs to be addressed to attract businesses including design recommendations, expansion of commercial between Skinner Boulevard and Main Street on Douglas, possible district designation for the Victoria Drive area and the eventual reuse of Hoods Plant to compliment the downtown area.
2. AREA E - CAUSEWAY TO HONEYMOON ISLAND: This area, due to its high visibility and growing activity, will need early attention. The proposed plan will add to the "image" for Dunedin as well as providing an organized recreation area. Recommendations include landscaping, paved access roads, signage standards, and separation of activities.
3. AREA A - EDGEWATER DRIVE: The stabilization of the shoreline is the most immediate concern, but this is currently being addressed by the city. The future development of the open space as a passive recreation park, traffic realignment, and suggested land use changes can occur with the downtown development and add to the overall image of Dunedin.
4. AREA D - NORTH DUNEDIN: As development continues to the north, the city will have to pay attention to ensure that open space be provided, possibly in an interlinking system, to the waterfront. Public space should be provided along the oceanfront even if it is by commercial uses. Future commercial activity should be permitted on a limited basis to extend northward.
5. AREA C: As an established residential neighborhood, the major concern is to preserve this character. The recommendations include to deter any further expansion of commercial activity along U. S. Alternate 19 and to maintain the golf courses and open spaces.

In addition, an analysis of legal mechanisms to implement the plan recommendations was completed. These techniques include:

- Zoning and Land Use
- Site Plan Review
- Eminent Domain and Acquisition
- Height Controls

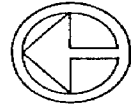
WATERFRONT UTILIZATION PROGRAM

CITY
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STUDY AREA OVERVIEW

AREA-A	4500' SHORELINE	735 ACRES
AREA-B	5900' SHORELINE	396 ACRES
AREA-C	10000' SHORELINE	1557 ACRES
AREA-D	INSIDE CITY LIMITS	
	11900' SHORELINE	300 ACRES
	OUTSIDE CITY LIMITS	
	10600' SHORELINE	629 ACRES
AREA-E	CAUSEWAY	
	10400' SHORELINE	35 ACRES
AREA-E	HONEYMOON ISLAND	
	38000' SHORELINE	412 ACRES

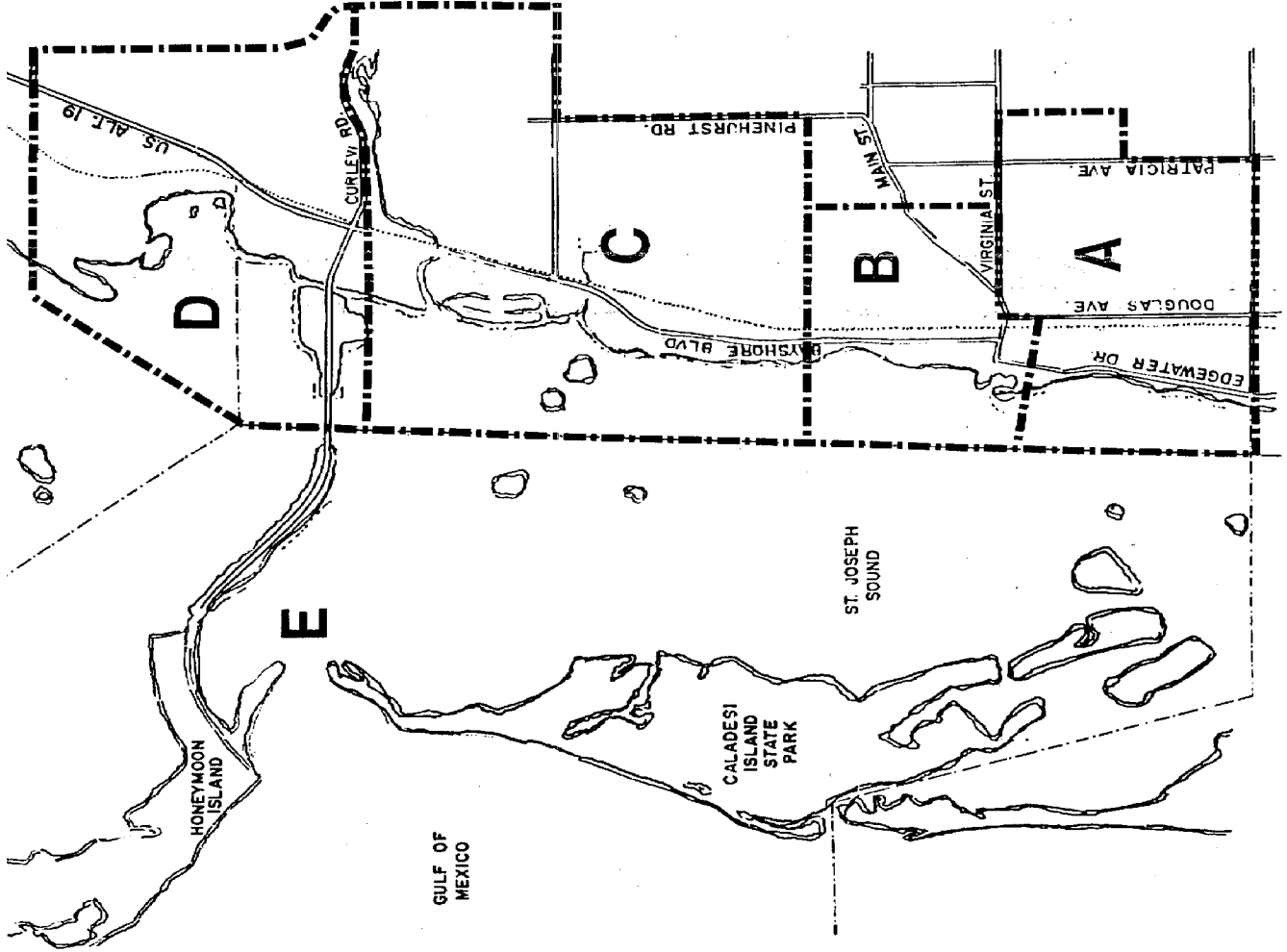
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AREA A

Land Use

Bounded by Union Street, Virginia and Patricia Avenue and the shoreline, Area A is composed of three statistical neighborhoods. Within this area there is a variety of land uses. Types of housing range from mobile homes to apartments to high rise condominiums. Near the center is a major activity center which contains Grant Field, a major recreation facility; Douglas Plaza, commercial center; and Dunedin Elementary School. This activity center is separated from the waterfront and major residential section to the west by the Seaboard Coastline Railroad and Douglas Avenue, which has a number of different uses including commercial and industrial. The northern portion of the area contains a number of mixed uses due to its location near the downtown area.

Adjacent to the waterfront is a strong, established neighborhood of single family dwelling units, a few multi-family units, and the old "Boom Time" Hotel built during the 20's which is currently being utilized as an educational facility. This neighborhood is reinforced by a consistent zoning classification of R-60.

Zoning

The primary zoning classification along the Area A waterfront is R-60. This classification provides for high density single-family detached residential dwellings with a minimum lot size of 6,000 square feet, no less than 100 feet deep and 60 feet wide. The maximum setbacks are 25 feet on the front, 10 feet on the sides and 20 feet in the rear. This classification conforms with and encourages the strong single-family usage of the established residential neighborhood along Edgewater Drive.

The second most significant classifications in this area are TF (Tourist Facility) and PTF (Planned Tourist Facility) on and around the large waterfront multi-family residential development, Edgewater Arms. These classifications which abut high density multi-family to the east, are designed to provide for commercial tourist uses. The Edgewater Arms property is zoned PTF, which allows medium and high density transient and permanent residential accommodations, hotel, motel, restaurant and small retail uses. There is a density limit of 20 units per acre, and setbacks of 25 feet on the front, 10 feet on the sides, and 20 in the rear. The maximum height is 80 feet, but ground level setbacks increase by one foot for every two feet of height over 30 feet.

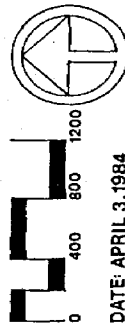
WATERFRONT UTILIZATION PROGRAM

CITY
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STUDY AREA A EXISTING ZONING

- AR AGRICULTURAL RESIDENTIAL
- C CONSERVATION
- CR COMMERCIAL RECREATION
- GB GENERAL BUSINESS
- GI GENERAL INDUSTRIAL
- GO GENERAL OFFICE
- MF-7.5, MF-10, MF-12.5, MF-15,
MULTI-FAMILY RESIDENTIAL
- MH MOBILE HOME RESIDENTIAL
- MP MARINE PARK
- NB NEIGHBORHOOD BUSINESS
- PR-1, R PR-2, PLANNED
RESIDENTIAL DEVELOPMENT
- PR-P PLANNED RESIDENTIAL
PENDING
- R-60, R-75, R-100, R-200, R-300,
SINGLE FAMILY RESIDENTIAL
- SC SHOPPING CENTER
- TF TOURIST FACILITIES

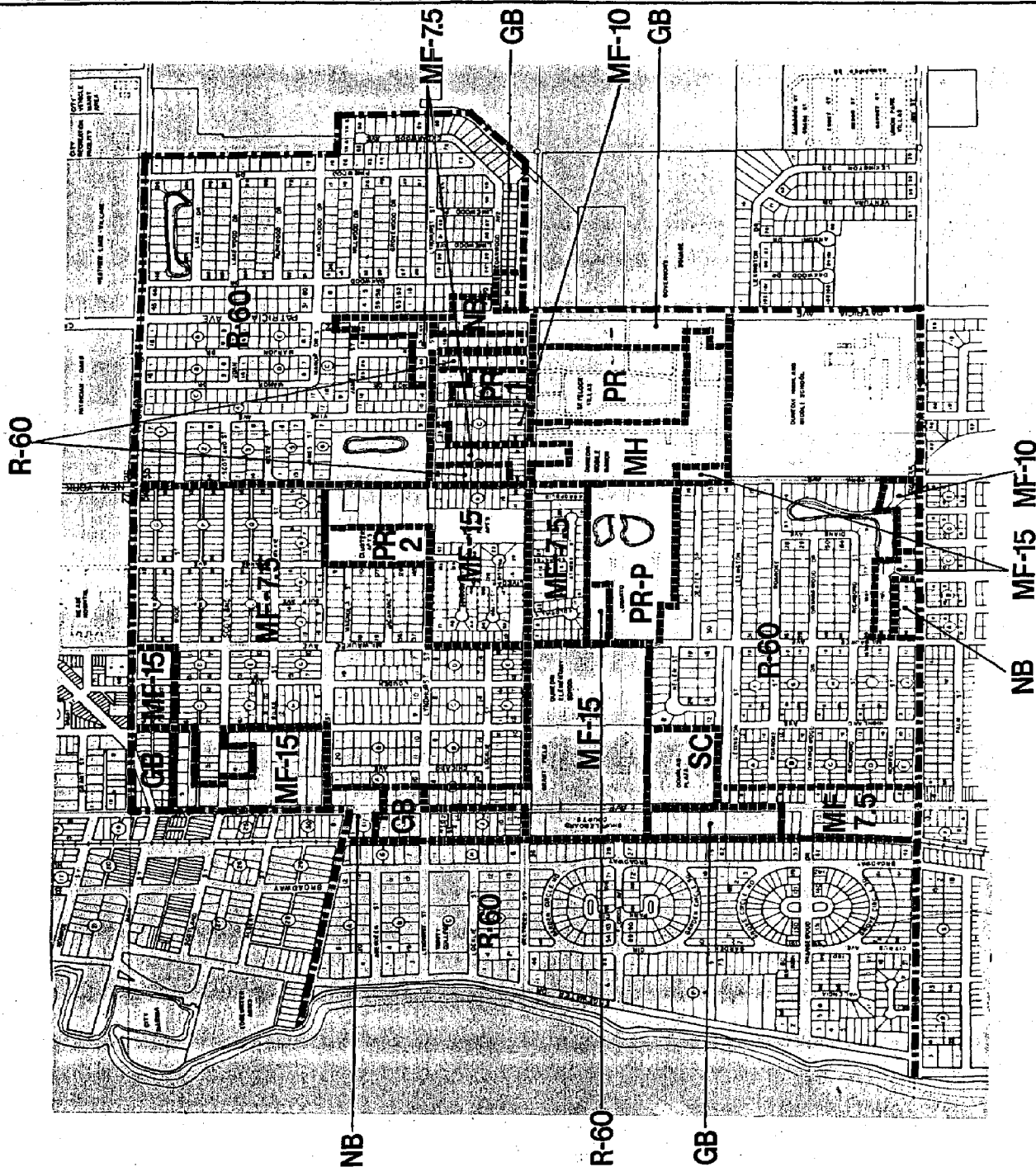
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To the south and east of Edgewater Arms are small areas zoned TF, which allows high density tourist commercial activity. Height is limited to 50 feet, but up to 80 feet is allowed by special exception, and any height over 30 feet requires additional setback as noted above. Density is limited to 40 units per acre for hotel/motel uses, as well as screening and landscaping requirements. The City Marina lies to the north of these PTF and TF areas.

TRANSPORTATION

Edgewater Drive is not only a scenic drive, but is also the major north/south arterial in the study area. Douglas Avenue, New York Avenue and Patricia Avenue are designated thoroughfares. Beltrees Avenue and Union Avenue are the major east/west thoroughfares.

Truck traffic and a large volume of other vehicular traffic moving at high speeds disrupts the scenic character of Edgewater Drive and the bordering residential neighborhood.

SCENIC VIEWS/VISTAS

Connecting with the City of Clearwater to the south and bordering the shoreline is Edgewater Drive. Views to the west are open across St. Joseph's Sound continuing north until disrupted by the Edgewater Arms Condo high rise. Indirectly emphasizing this view and adding to the scenic scale of the drive is the established neighborhood of one-to-two story single-family houses along the eastern side of Edgewater Drive. Adding to the overall quality of the environment in the area is the greenery of the excellent Washington Palms, though some need to be replaced and infill replanting is required.

The views of Edgewater may also be appreciated from the east/west connector streets. When approaching to the west, views through the vegetation to the sound are provided. However, one serious problem affecting the future conditions of these views and drive is erosion.

WATERFRONT UTILIZATION PROGRAM

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A STUDY AREA IMAGE ANALYSIS



RESIDENTIAL



COMMERCIAL / MEDICAL



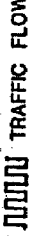
EDUCATIONAL



RECREATIONAL



TRAFFIC CONFLICT



TRAFFIC FLOW

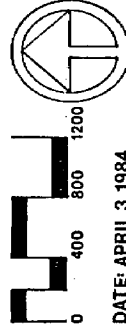


RAILROAD RIGHT OF WAY



SCENIC VISTAS

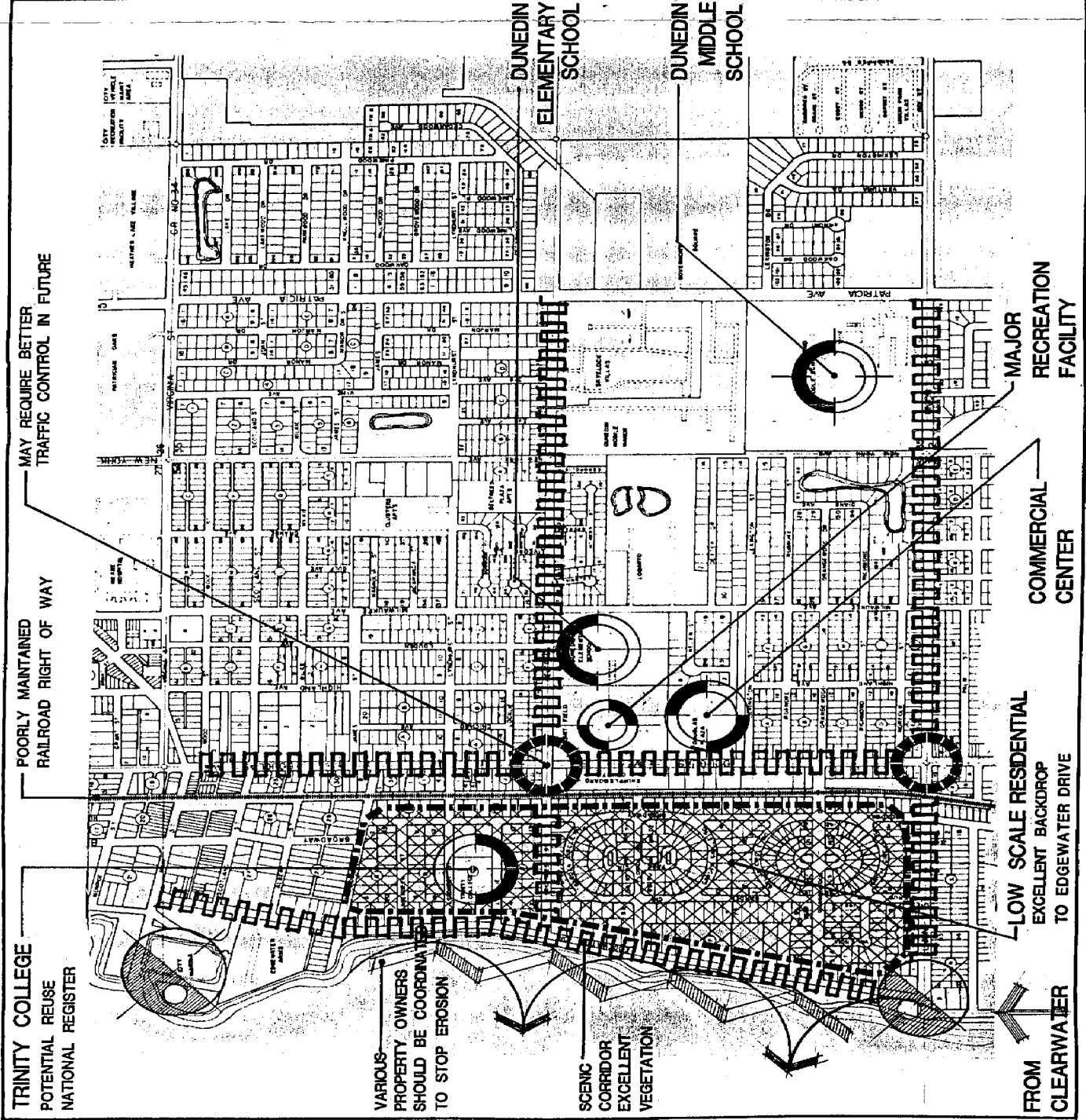
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EROSION

The most detrimental influence on the future utilization and enjoyment of the 4100 linear feet of the waterfront is erosion. Not only will this erosion affect the visual impact, but it will also have environmental impact by destroying the vegetation and animal life along the shore. The constant erosion is also reducing the amount of available land. This problem is analyzed in detail in a previous report "Dunedin Bay Shoreline" study prepared by the U.S. Army Corps of Engineers in May of 1982. The study illustrated that as much as 100 feet of shoreline has eroded away in some areas since 1926.

Complicating the maintenance and stabilization of the shoreline is the diverse ownership of the waterfront which is owned by the City and, in part, by various private parties.

AREA A RECOMMENDATIONS

Objectives

- Preserve the residential character of the area
- Enhance the scenic corridor of Edgewater Drive
- Buffer the residential areas from potential future downtown growth

Recommendations

1. Develop land west of Edgewater Drive into a passive recreational park
 - A. Stabilize shoreline erosion as per U.S. Corps of Engineers recommendations
 - B. Acquire necessary property to complete park
 - C. As part of overall park design:
 1. Remove pier in front of Trinity College to eliminate extra traffic attraction and enhance public safety

WATERFRONT UTILIZATION PROGRAM

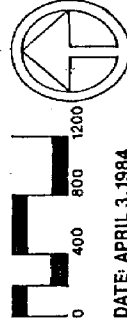
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STUDY AREA RECOMMENDATIONS

OBJECTIVES

- To Preserve The Residential Character Of The Area
- Enhance The Scenic Corridor Of Edgewater Drive
- Buffer The Residential Areas From Potential Future Downtown Growth

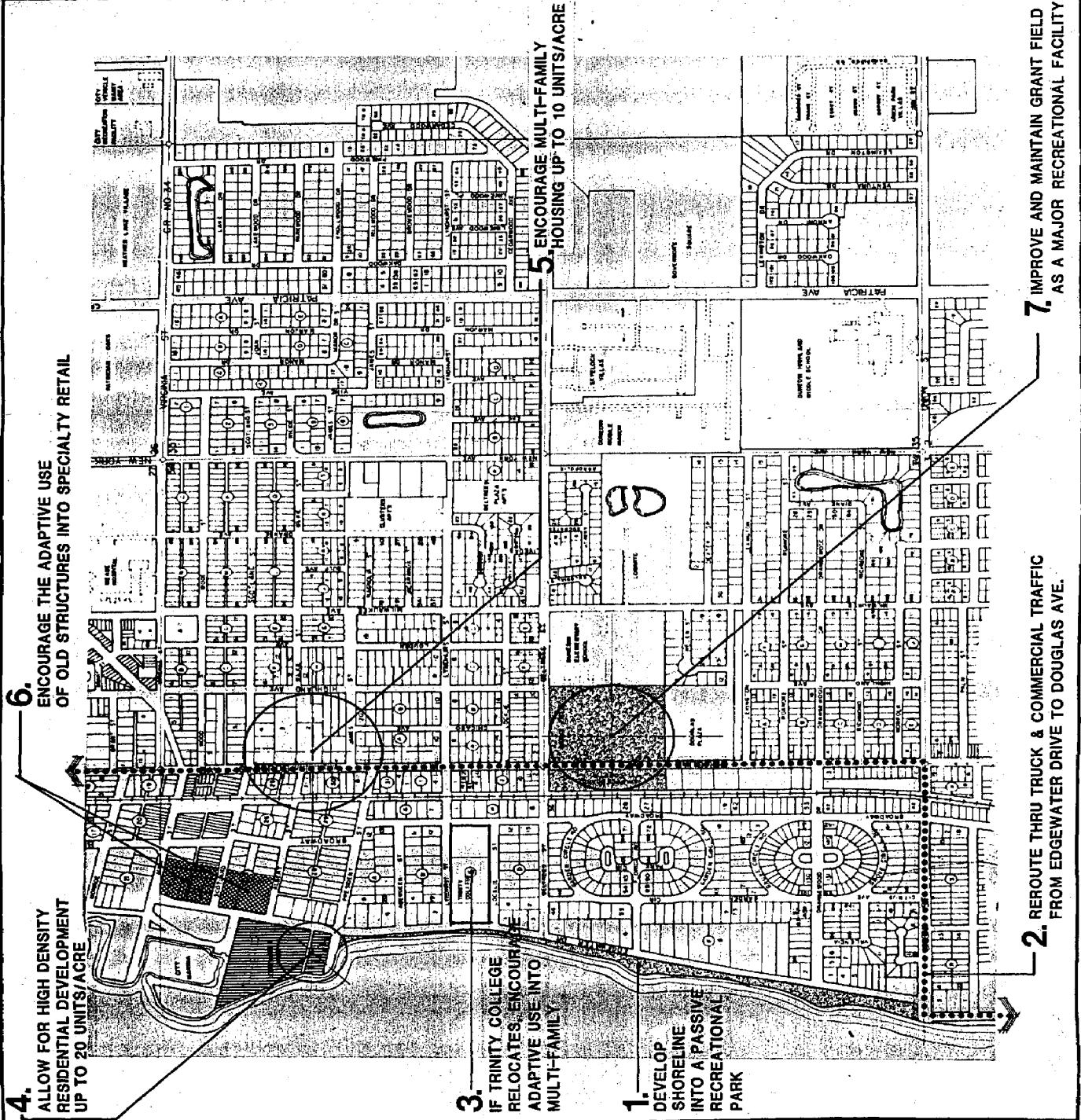
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2. Upgrade, replace and infill landscaping
 3. Provide jogging and bike paths
 4. Develop park in the "Theme" suggested in "Dunedin Parks Program" report
2. Remove through truck traffic from Edgewater Drive to provide a safer, more enjoyable Drive
 - A. Redirect commercial through traffic east along Union Street then north on Douglas Avenue
 - B. Lower speed limit on Edgewater Drive
 3. If Trinity College plans to relocate its operations, encourage the adaptive re-use of the original structure for multi-family residential purposes
 - A. Remove accessory buildings and infill with townhouses
 4. Allow for high density residential development south of Edgewater Arms
 - A. Up to 20 units per acre
 5. Encourage multi-family use south of Scotland Street along Douglas Avenue
 - A. Buffer the single-family to the south from the downtown
 - B. Up to 10 units per acre
 6. Encourage the adaptive re-use of the old structures along Edgewater Drive north of Albert Street into specialty retail use
 - A. Create an attraction to bring people to park/marina/downtown
 7. Improve and maintain Grant Field as a major recreational facility

AREA B

Land Use

This study area encompasses the vicinity of San Christopher Drive, New York Avenue, Virginia Street, and Albert Street. This district consists of the City Marina and Park, Downtown Dunedin, and Mease Hospital. The district contains a variety of land uses which are associated with downtown high activity areas.

To the north of Main Street, the major east/west connector, is a highly concentrated area of mixed uses ranging from industrial uses to single family. The problem associated with this mixture is that there is the conflict of single family land uses next to industrial uses.

Zoning

The two most significant uses in this area are the City Marina and Victoria Drive. The marina property is zoned MP (Marine Park.) The purpose of an MP zoning classification is, as the zoning regulations state, "to protect wetlands, environmentally sensitive coastline areas, coastal park lands, bodies of water, and other submerged lands..." This area is an ideal combination of protective zoning and public ownership which ensures access and uses in accordance with public planning.

Just to the north of the marina is an area of zoned TF, and the downtown is zoned GB (general business). The downtown GB zoning allows large scale retail sales facilities, relatively intensive commercial uses, and light business. The height limit is 50 feet (with additional ground level setbacks required for heights over 30 feet). Required setbacks are 30 feet in front, 10 feet on the side, and 20 feet in back. Density of 40 units per acre is allowed.

The large, historic Victoria Drive area on the waterfront just north of downtown was recently rezoned R-100 (single-family residential with a maximum density of 3.26 units per acre) from previous higher density single- and multi-family classifications. This protective zoning with a minimum lot size of 10,000 square feet (100' x 100' minimum), reinforces the unique character of this area of old houses which face the waterfront, many of which are historically significant. (See Appendix "Historical Sites".) Victoria Drive itself is a city owned right-of-way which, by neighborhood preference, is an unmaintained, barely passable, shell road. Legal descriptions of the residential parcels include water lots and/or submerged lands which lie west of the Victoria Drive right-of-way. Developability of the areas is limited due to lack of square footage of land above the mean high water line. (See Appendix "Victoria Drive Zoning Study" dated April 30, 1982.)

WATERFRONT UTILIZATION PROGRAM

CITY
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STUDY AREA B

EXISTING ZONING

AR AGRICULTURAL RESIDENTIAL
C CONSERVATION
CR COMMERCIAL RECREATION
GB GENERAL BUSINESS
GI GENERAL INDUSTRIAL
GO GENERAL OFFICE
MF-7.5, MF-10, MF-12.5, MF-15,
MULTI-FAMILY RESIDENTIAL
MH MOBILE HOME RESIDENTIAL
MP MARINE PARK
NB NEIGHBORHOOD BUSINESS
PR-1, R PR-2, PLANNED
RESIDENTIAL DEVELOPMENT
PR-P PLANNED RESIDENTIAL
PENDING
R-80, R-75, R-100, R-200, R-300,
SINGLE FAMILY RESIDENTIAL
SC SHOPPING CENTER
TF TOURIST FACILITIES

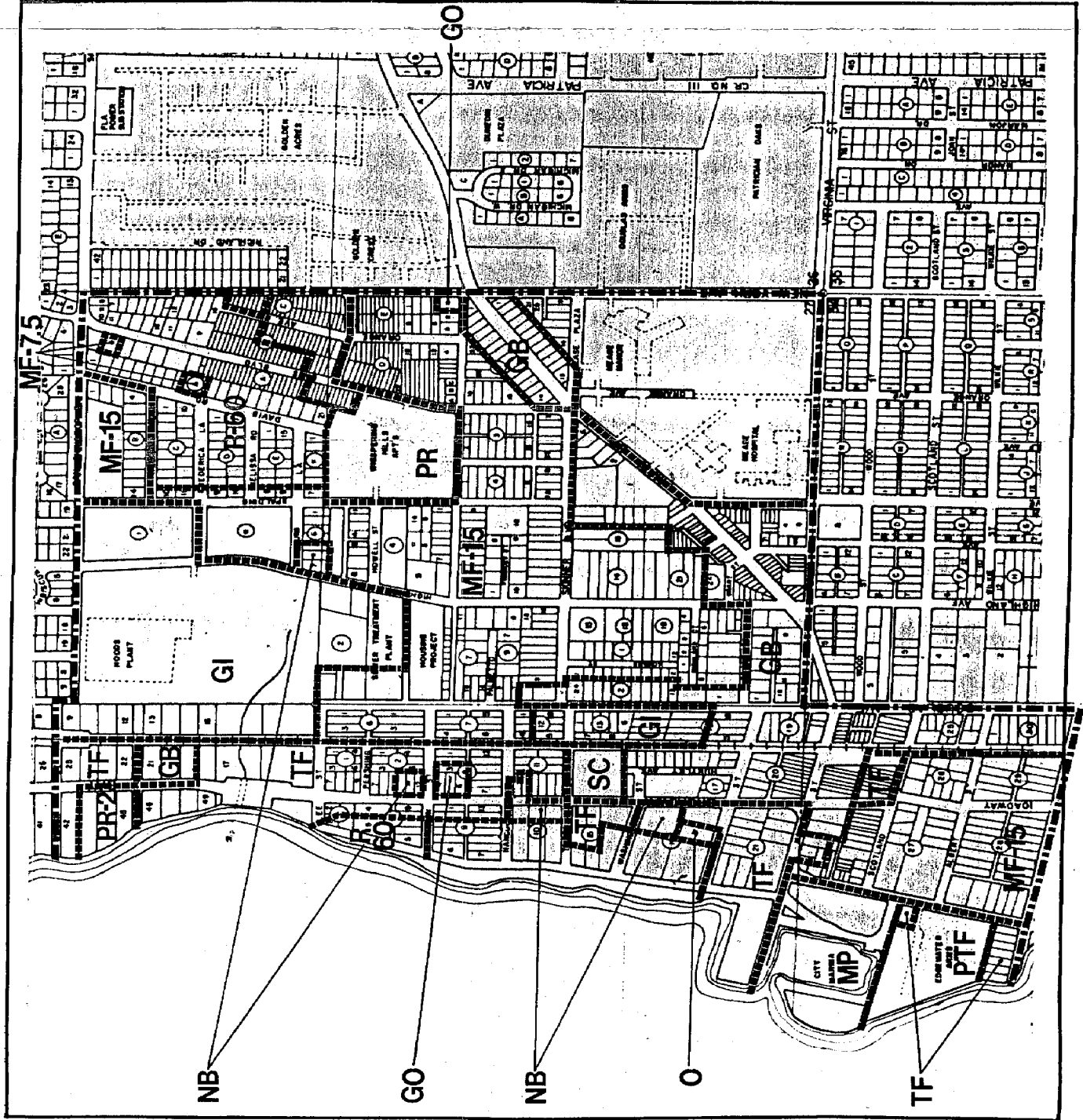
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The predominant classification of the remainder of Area B near the coast is TF, with small areas of residential and neighborhood business.

Downtown

The Downtown area of Dunedin is not dissimilar from many downtowns which have experienced little or no growth over the last two decades. Growth has been reoriented to new shopping malls. However, as Dunedin grows, the waterfront will become more desirable, providing a basis to encourage new development opportunities for the downtown.

The "image" of downtown and its relationship to the waterfront is not perceived easily. Views of the Gulf, when traveling east to west along Main Street, are not acknowledged until one approaches the railroad crossing.

The Marina itself is not recognized until one passes the intersection with Broadway Avenue. Adding to the overall decline of the identity of Downtown and its relation to the waterfront are some additional factors.

- Uncoordinated development over the years has led to inconsistent building setback lines which, in addition to being visually distracting, create a sidewalk width dimension which constrains pedestrian movement to the waterfront.
- There is a lack of architectural design coordination in the downtown area. This is due to the early development of the area with the infill of new buildings, which does not emphasize or encourage the waterfront element.
- The various zoning classifications ranging from tourist facilities to general business include their own height and setback regulations that are not sympathetic to the waterfront. (Refer to the legal review.)

WATERFRONT UTILIZATION PROGRAM

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STUDY AREA IMAGE ANALYSIS



RESIDENTIAL



COMMERCIAL / MEDICAL



EDUCATIONAL



RECREATIONAL



TRAFFIC CONFLICT

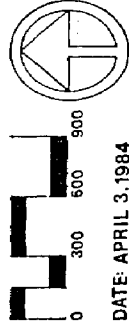


TRAFFIC FLOW

RAILROAD RIGHT OF WAY

SCENIC VISTAS

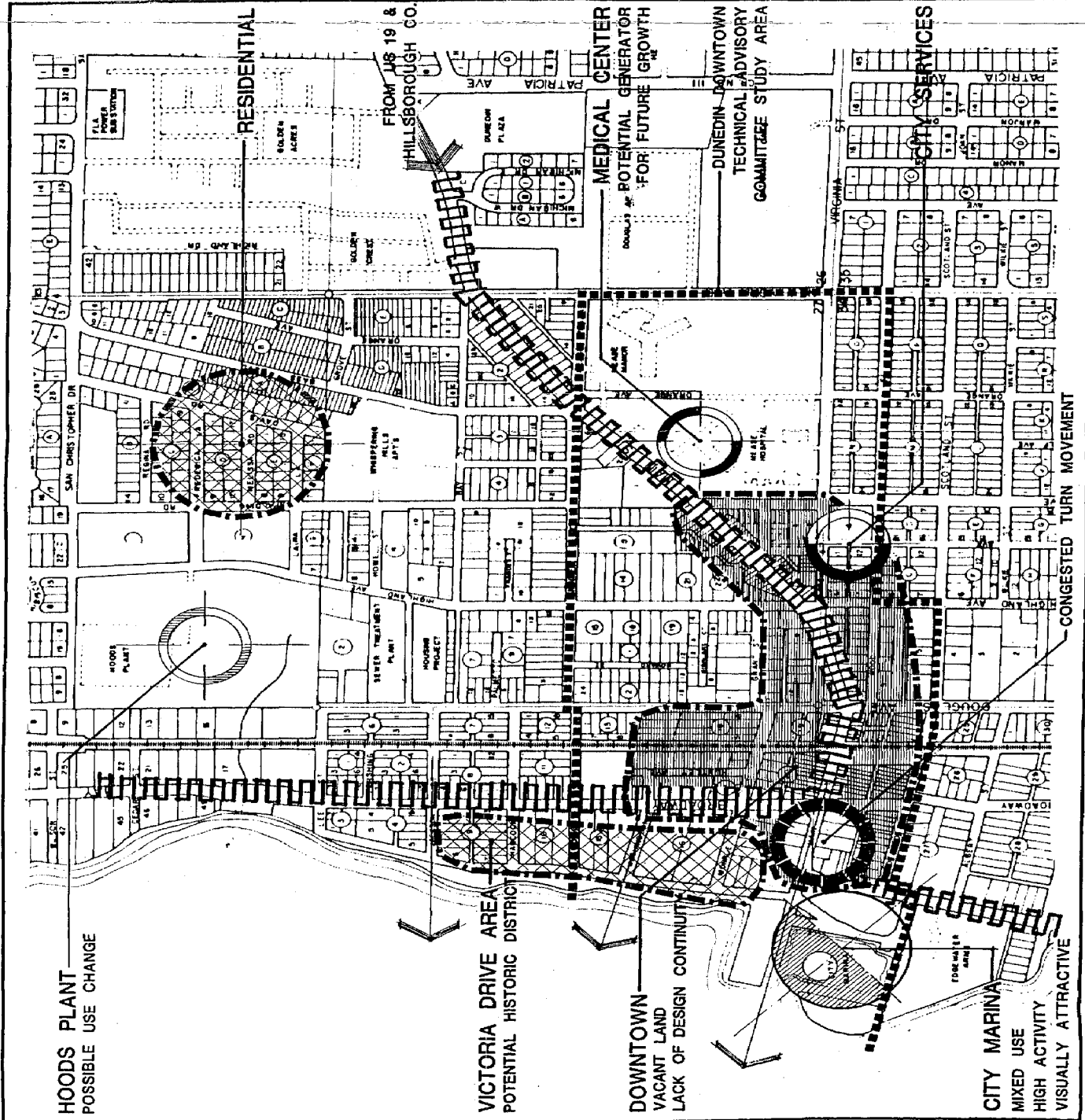
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Victoria Drive

Other than the marina/park area, the only other area which has visible waterfront is Victoria Drive, directly north of the downtown area and marina. Victoria Drive, however, currently is prohibitive to traffic because it is an overgrown, severely pot-holed, winding, unimproved shell road. Bordering Victoria Drive are large-lot, single-family houses. Seven of these houses have been identified as historic by the Dunedin Historical Society. This area, by its own seclusion, offers an historical view of "original" Dunedin and its quality of life.

Erosion has affected the shoreline in this area, similar to the Edgewater area. There have, however, been attempts to control this erosion by some of the individual property owners, but not in a coordinated effort. In addition, the City owns the Victoria Drive right-of-way.

The small, possibly historic, area is designated as residential by the land use plan and was recently rezoned to discourage higher development but the rear property lines of these lots back onto parcels along Broadway Avenue which are designated commercial, and may affect this area.

Transportation

Main Street, a two-lane artery, provides the only major access, both vehicular and pedestrian, to downtown. Vehicular traffic is constrained by several factors including numerous right-of-ways intersecting with Main Street, the Seaboard Coastline Railroad intersection, and the overall width of Main Street is prohibitive. The most congested area is near the marina with the "offset" intersections of Edgewater Drive, Broadway Avenue and Main Street.

To help alleviate congestion in the downtown area, the following are a few planned road improvements:

- State Road 580 is in the process of being widened to a 4 lane divided roadway along Skinner Boulevard.

- State Road 580 will be widened and improved to the Hillsborough County Line.
- Douglas Avenue is being examined to be realigned to intersect with Broadway to the north.

Detailed traffic information is referenced in "The Comprehensive Plan: Traffic Circulation" prepared in 1976.

AREA B RECOMMENDATIONS

Objectives

- To coordinate revitalization efforts with the Downtown Technical Advisory Committee
- Encourage future downtown development to be more water oriented
- Encourage redevelopment of downtown
- Encourage the preservation of historic structures .
- Buffer downtown growth from residential sectors

Recommendations

1. Close the rights-of-way of Main Street west of Broadway and north of Scotland
 - A. Create a "super block" for redevelopment
 - B. Incorporate marina/park into "super block"
 - C. Create an urban village scale
 - D. Realign traffic down Scotland to Broadway
 - E. Use right-of-way closures as an incentive for redevelopment
2. Improve and expand marina
 - A. Incorporate as part of the "super block" concept

- B. Provide a fishing/walking pier
- C. Relocate the Caladesi Island Ferry as another attraction
- 3. Close other underutilized rights-of-way throughout the downtown area
 - A. Use an incentive for larger more cohesive developments
 - B. This would eliminate conflicting, unnecessary traffic patterns
- 4. Develop design standards for all of the Downtown Area
 - A. Separate height limitations for the Downtown Area in addition to, or in lieu of, current restrictions
 - 1. Possible separate designated area
 - 2. Step back building heights from water to enhance the character of the waterfront
 - 3. Encourage development "to be built to property lines". Maximum height for buildings built to property lines is two stories. Additional height to eight stories would be permitted if for every one foot of height there is a one foot set back above the first twenty-five feet
 - B. Develop a sidewalk/streetscape improvement program
 - 1. To encourage pedestrian movement and safety
 - 2. A twelve foot wide sidewalk is desirable, but will depend on streetscape design
 - 3. Develop a uniform sign standard that would contribute to the shopping district
 - 4. Develop a unified lighting standard for both street and facade lighting
- 5. Preserve the historic character of Victoria Drive
 - A. Possible historic district
 - B. Infill vacant land with compatible old structures that might be otherwise destroyed

**CITY
OF
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OBJECTIVES

- Encourage Future Downtown Development To Be More Water Oriented
- Encourage Redevelopment Of Downtown
- Encourage The Preservation Of Historic Structures
- Buffer Downtown Growth From Residential Sections

DATE: APRIL 2, 1994

0 300 600 900

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- C. Close off Victoria Drive to the north from Main Street
 - 1. Eliminate through traffic
 - 2. Part of the "super block" concept
- D. Provide small public parks at the end of east/west right-of-ways
 - 1. Provide the opportunity for the public to enjoy water and historic character of area
- 6. Transportation and Parking Improvements
 - A. Encourage the improvements of Skinner Boulevard as a major traffic corridor
 - 1. Relieve traffic from Main Street
 - 2. Do not encourage commercial development along Skinner which would further spread out the Downtown Area
 - B. Encourage the realignment of northern Douglas to Bay Shore Drive
 - 1. This will help orient through commercial traffic down Douglas instead of Edgewater Drive
 - C. Improve the Broadway/Scotland/Edgewater Drive alignment after implementation of "super block"
 - 1. Acquire right-of-way as necessary
 - D. Possible parking structures
 - 1. Near "super block"
 - 2. Near Mease Hospital
- 7. Permit neighborhood business to expand north along Douglas Avenue to near Skinner Boulevard
 - A. An efficient traffic loop will be developed with Main Street/Skinner Boulevard/Douglas
- 8. Examine potential for new City Hall downtown as a stimulus

WATERFRONT UTILIZATION PROGRAM

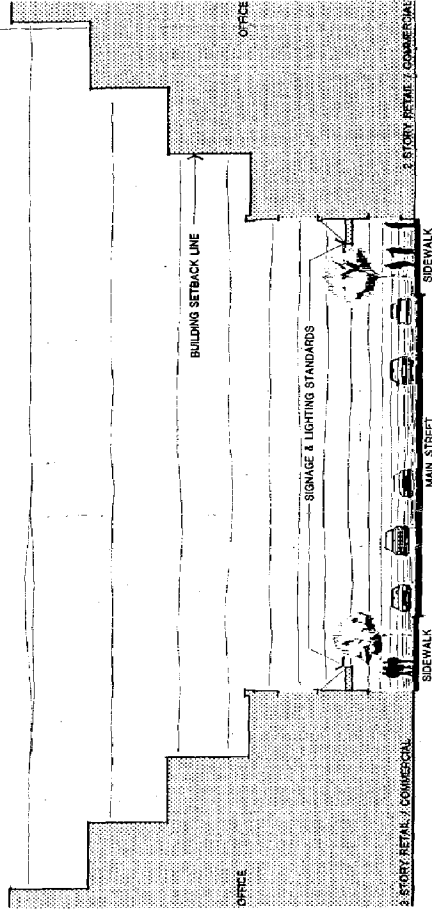
CITY
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STREETSCAPE STUDY MAIN STREET EDGEWATER DRIVE

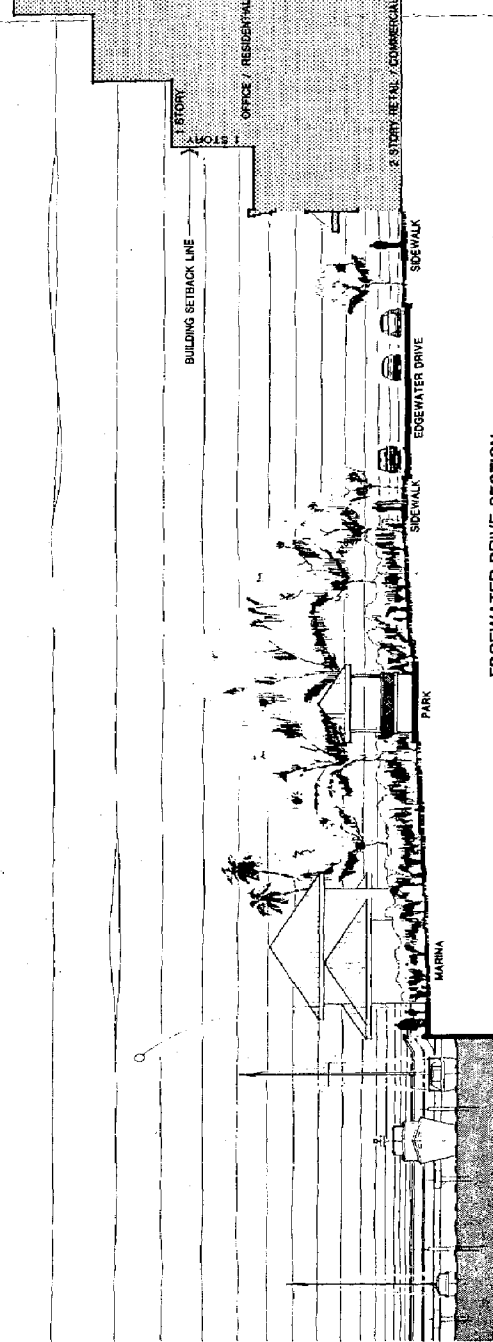
DATE: APRIL 3, 1984

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MAIN STREET SECTION
LOOKING WEST
NO SCALE



EDGEWATER DRIVE SECTION
LOOKING NORTH
NO SCALE

9. Encourage the reuse of the Hoods Plant land into a corporate office park
 - A. The park would provide an alternative market that might locate outside Dunedin, and provide for the need of larger areas other than downtown
 - B. Would have Douglas Avenue access
10. Encourage expansion of Mease Hospital and support services
 - A. Hospital is entry to downtown
 - B. Would complete a 3 node activity generator to revitalize downtown

AREA C

Land Use

A primarily strong, cohesive residential sector, Area C is bounded by Curlew Road to the north, San Christopher to the south, and Pinehurst and C.R. No. 1 to the east. The majority of Area C is characterized by high intensity single-family detached dwellings, with a lineal section of light commercial development along Alternate 19 south of Curlew Road. Due to the high traffic volumes along Alternate 19 between Curlew Road and downtown, it is possible that development will pressure more commercial development to occur along Alternate 19.

There are several major public recreational open spaces that include Hammock Park which is an 85-acre natural reserve park with an observation tower and nature trails. Adjacent to Hammock Park to the east is Fisher Field, a major recreational field that is similar to Grant Field to the south in Area A. Adding to the recreational open space amenities in this sector are two golf courses, Oak Ridge and Dunedin Country Club.

Finally, there are two more areas of open space that will provide many opportunities for this section. One is the area along Curlew Creek and its surrounding green space extending from the shoreline along S.R. 586 to major new residential subdivisions. The other open space areas are those numerous, still undeveloped parcels throughout the area.

Zoning

By far, the main zoning classification in this, the largest study area, is R-60. As described in Area A, this provides for high intensity single family detached dwellings on lots with minimum areas of 6,000 square feet. Despite a small area at the south end zoned TF on the waterfront and a small area about midway at Cedar Creek zoned P-100, the waterfront in Area C is predominantly established, single family R-60 residential, at least three, and up to ten, blocks deep. Many of the streets end in cul-de-sacs, and one large area has city owned mini-parks on the water at the end of each street. Some of these mini-parks appear to have been fenced or otherwise encroached upon by the adjacent land owners. The City should immediately take steps to reopen these areas and/or to investigate the possibility that the "squatting" neighbors have acquired title or some claim to title by way of adverse possession of the mini-parks.

A small area on Curlew Creek and U. S. Alternate 19 is zoned CR (Commercial Recreation) which allows theatres, bowling alleys, athletic clubs and pools, amusement centers, restaurants, and the like. This area is in the "approach" to the mixed uses found in Area D, where Dunedin meets the Causeway.

Transportation

At this time, the majority of traffic traveling north and south uses U.S. 19 or C.R. No. 1. The only two east/west connections between the two major north/south arteries are Michigan Boulevard and Curlew Road, S.R. 586. S.R. 586 is also the only major artery to Honeymoon Island to the east. As a result, there will be pressure for commercial development to occur on this road, especially as Dunedin and Honeymoon Island develop. The update to the Dunedin Comprehensive Plan regarding traffic circulation in 1977 illustrates that intersections and signalizations will be required along the previously stated roads.

In addition, the Seaboard Coastline Railroad follows Alternate 19 which is not well maintained and emphasizes the division of the coastline from the eastern portion of Area C.

Views/Vistas

Currently, the views and accessibility to the ocean readily available to the public are very limited. The only ocean-front property available to the public are two small parks at the ends of San Salvador and San Jose, which are the extension of their rights-of-way. These mini-parks do not have provisions for parking except along the public streets.

WATERFRONT UTILIZATION PROGRAM

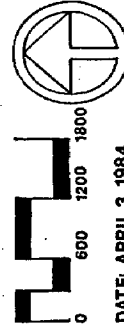
CITY
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DUNEDIN

STUDY AREA C

EXISTING ZONING

AR AGRICULTURAL RESIDENTIAL
C CONSERVATION
CR COMMERCIAL RECREATION
GB GENERAL BUSINESS
GI GENERAL INDUSTRIAL
GO GENERAL OFFICE
MF-7.5, MF-10, MF-12.5, MF-15,
MULTI-FAMILY RESIDENTIAL
MH MOBILE HOME RESIDENTIAL
MP MARINE PARK
NB NEIGHBORHOOD BUSINESS
PR-1, R PR-2, PLANNED
RESIDENTIAL DEVELOPMENT
PR-P PLANNED RESIDENTIAL
PENDING
R-60, R-75, R-100, R-200, R-300,
SINGLE FAMILY RESIDENTIAL
SC SHOPPING CENTER
TF TOURIST FACILITIES

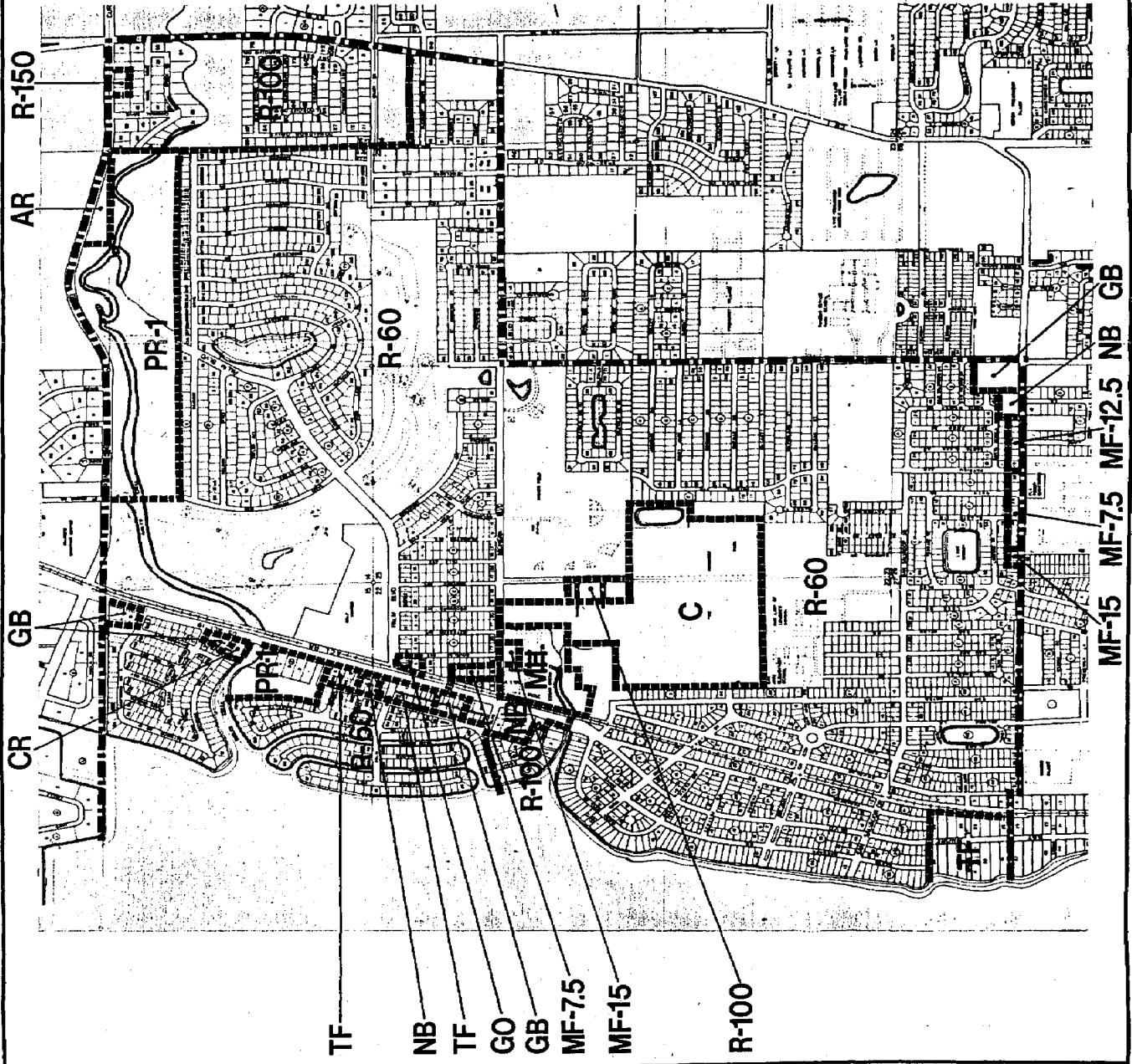
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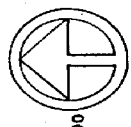
WATERFRONT UTILIZATION PROGRAM

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C STUDY AREA IMAGE ANALYSIS

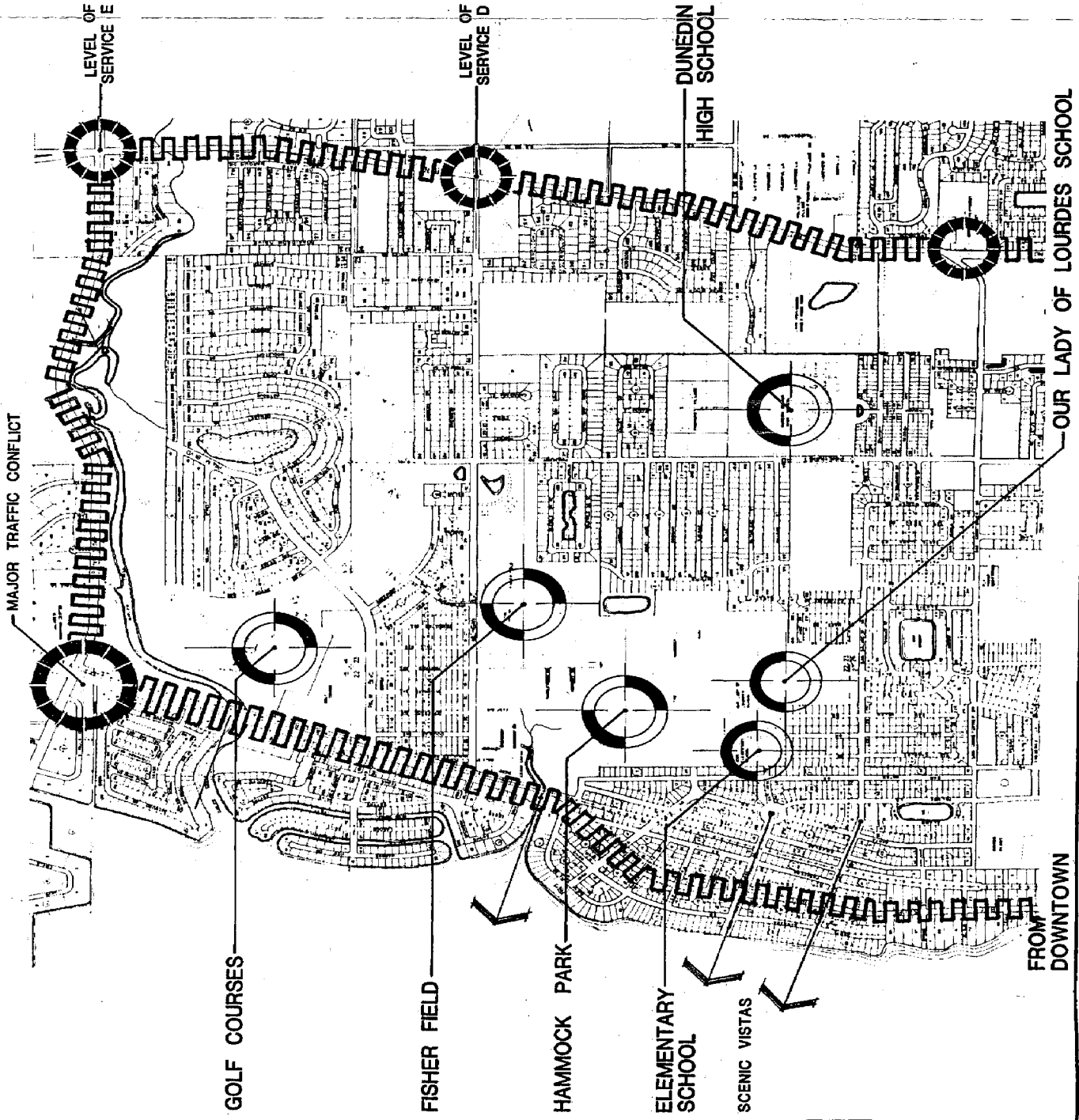
- RESIDENTIAL
- COMMERCIAL / MEDICAL
- EDUCATIONAL
- RECREATIONAL
- TRAFFIC CONFLICT
- TRAFFIC FLOW
- RAILROAD RIGHT OF WAY
- SCENIC VISTAS

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The only other views that can be appreciated are via the automobile. Approaching these small parks provides a nice vista over the water and there are water views from overpasses along Alternate 19 or Palm Boulevard. The water views along Alternate 19 cannot be appreciated by the driver because of the nature of the traffic on Alternate 19 with higher rate of speed and new development. This section does not take advantage of the water. The overpass views are missed. What is appreciated is the open area of the two golf courses to the east. They are in contrast to the development on the west. The open area of both the golf courses and the Curlew Creek area provide a nice view "sequence" on S.R. 586 while approaching Alternate 19.

AREA C RECOMMENDATIONS

Objectives

- To preserve the residential character of the area
- To enhance and maintain existing recreational facilities

Recommendations

1. Do not encourage further expansion of commercial uses along U.S. Alternate 19 south of S.R. 586
 - A. Further expansion could damage the overall residential character
 - B. More commercial activity would create more traffic for already busy U.S. Alternate 19
 - C. Prohibit existing commercial uses to expand beyond current intensities
 - D. Enforce the existing adopted land use plan which reinforces this concept
2. Preserve, maintain and if possible expand open/recreational spaces
 - A. Maintain municipal and private golf courses
 1. Their demand will increase as areas population increases

WATERFRONT UTILIZATION PROGRAM

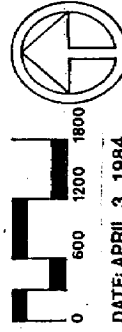
CITY
OF
DUNEDIN

STUDY AREA C RECOMMENDATIONS

OBJECTIVES

- To Preserve The Residential Character Of The Area
- To Enhance And Maintain Existing Recreational Facilities

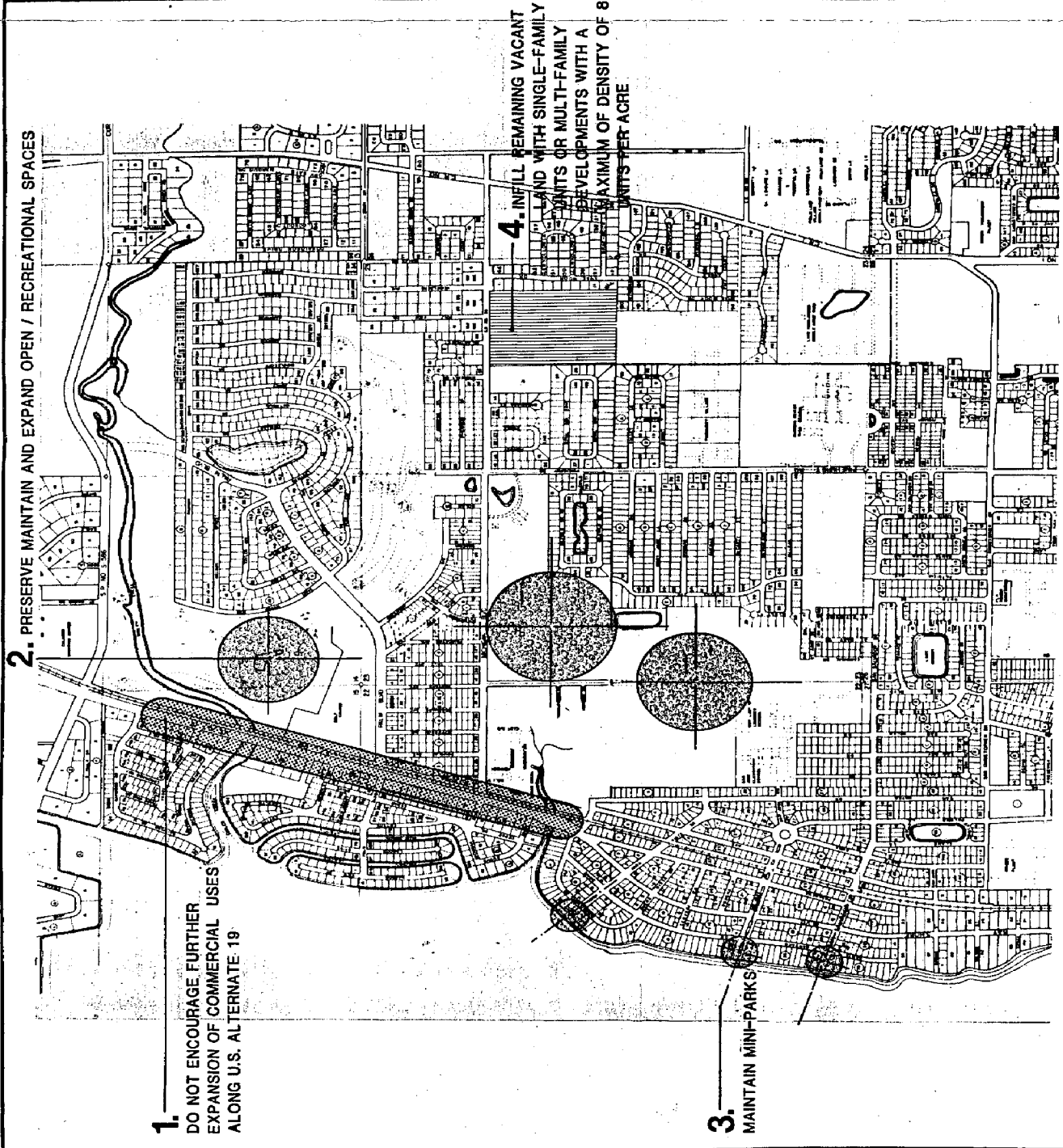
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- B. Maintain and expand Hammock Park
- C. Create other neighborhood parks on vacant land
- 3. Maintain mini-parks on the gulf at the ends of public rights-of-way
- 4. Infill remaining vacant land with single-family units or multi-family developments with a maximum of density of 8 units per acre

AREA D

Land Use

The northern edge of Dunedin's City limits and surrounding county land is experiencing fast growth. This area contains the greatest amount of available vacant land. Also influencing the growth is the new commercial development to the east along U. S. 19 and the expanding Honeymoon Island State Park.

At the intersection of U. S. Alternate 19 and S.R. 586 is the major concentration of commercial activity. Surrounding this commercial center are various densities of residential development. To the south are single family lots, to the east is a mobile home park and single family while to the north is a high density residential community.

Zoning

Only a small section of incorporated Dunedin is in Area D. (We have not considered unincorporated Pinellas in this study.) The growth and development pressures generated in this area of Dunedin by its serving as access to the Causeway and to the beaches of Honeymoon Island State Park and Caladesi Island have resulted in a zoning mix of commercial and multi-family residential.

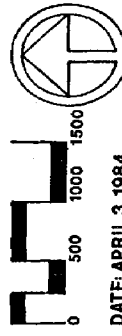
WATERFRONT UTILIZATION PROGRAM

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STUDY AREA D EXISTING ZONING

AR AGRICULTURAL RESIDENTIAL
C CONSERVATION
CR COMMERCIAL RECREATION
GB GENERAL BUSINESS
GI GENERAL INDUSTRIAL
GO GENERAL OFFICE
MF-7.5, MF-10, MF-12.5, MF-15,
MULTI-FAMILY RESIDENTIAL
MH MOBILE HOME RESIDENTIAL
MP MARINE PARK
NB NEIGHBORHOOD BUSINESS
PR-1, R PR-2, PLANNED
RESIDENTIAL DEVELOPMENT
PR-P PLANNED RESIDENTIAL
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TF TOURIST FACILITIES

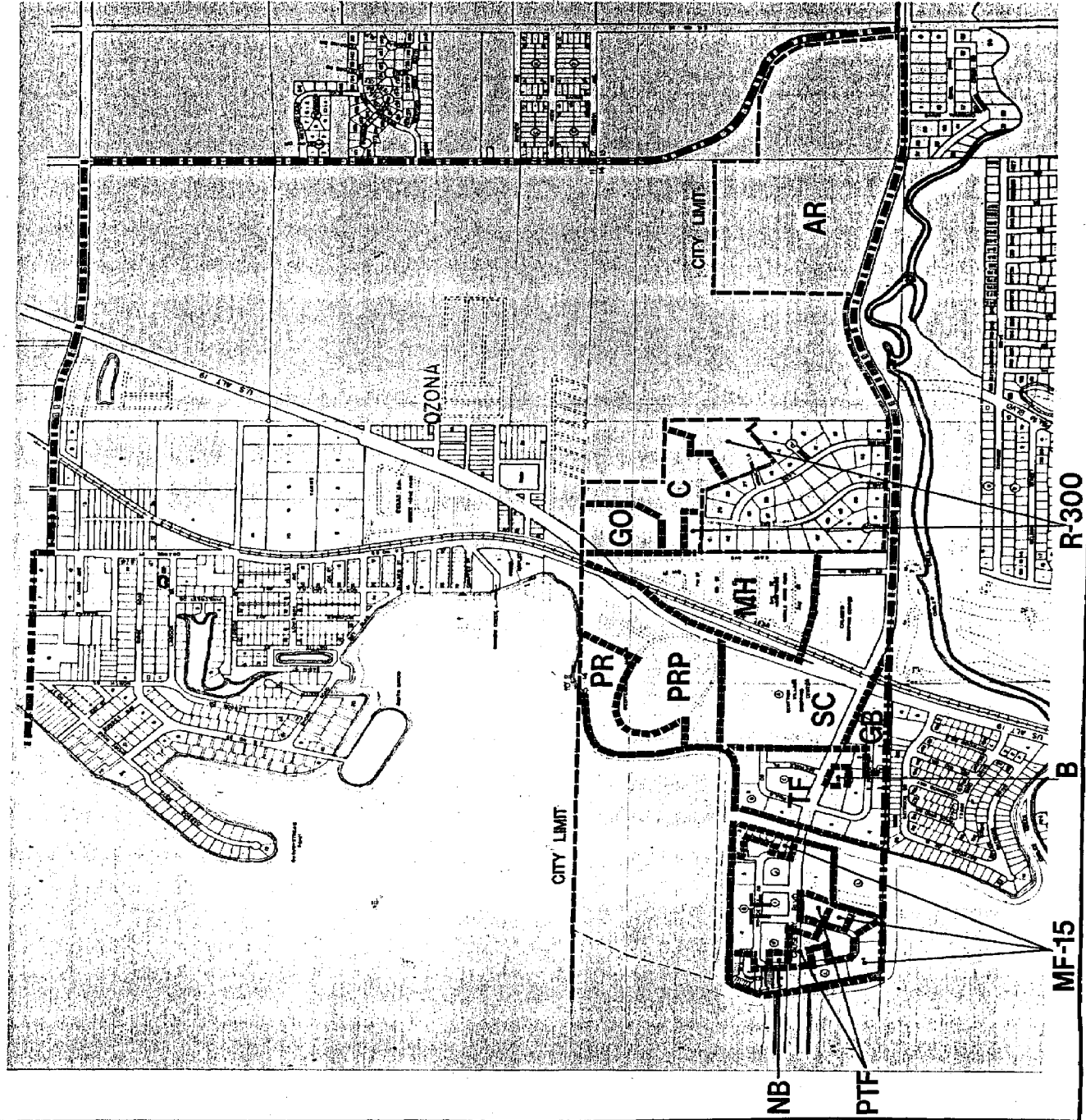
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The waterfront here is predominantly MF-15 (multi-family) and TF (Tourist Facility). MF-15 provides for high density urban multi-family development limited to 15 units per acre. Height is limited to 50 feet, with additional setback required for heights over 30 feet. TF classification with its intensive tourist commercial uses and heights of up to 80 feet allowed by special exception are adjacent to the MF-15, and submerged MP (Marine Park) areas. This jumble of tourist and multi-family adjacent to the overly busy Causeway (see Section E), has led to complaints from tenants in the MF-15 areas, concerning the effect tourist and commercial activity has on residents. (See Appendix, letter to John Lawrence, dated June 17, 1983.) This conflict of adjacent uses requires careful consideration by planning officials.

The northernmost waterfront area in Dunedin is zoned PR-2 (Planned Residential Development). PR-2 is basically a planned unit development classification allowing for high density clustering of dwelling units and common open space. The maximum PR-2 density is 20 units per acre. Heights are allowed to 50 feet with additional setbacks required over 30 feet.

Transportation

The boundaries of Area D are designated by three major road arteries, S.R. 584 to the north, C.R. 1 to the east, and S.R. 586 to the south. Also in this section is the northward continuation of U.S. Alternate 19.

As confirmed by the previous transportation study prepared in 1976 by Dunedin's Planning Department, S.R. 586 will continue to become more utilized. This can be explained by the fact that S.R. 586 is the connection to the Honeymoon State Park and the growing population of Hillsborough County. As with most roads leading to improved beach facilities, strip commercial development will tend to occur. However, currently there is only commercial development at the intersections of S.R. 586 and U.S. 19 and U.S. Alternate 19. The land in between is primarily vacant except for residential subdivisions and billboards.

U.S. Alternate 19, as stated in other sections, is a major north/south link. As a result, the intersection with S.R. 586 is congested with the added confusion of Seaboard Coastline Railroad. Other intersections of concern are S.R. 584 and U.S. Alternate 19, S.R. 584 and C.R. 1, and S.R. 586 and C.R. 1.

WATERFRONT UTILIZATION PROGRAM

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STUDY AREA D IMAGE ANALYSIS



RESIDENTIAL



COMMERCIAL / MEDICAL



EDUCATIONAL



RECREATIONAL



TRAFFIC CONFLICT



TRAFFIC FLOW

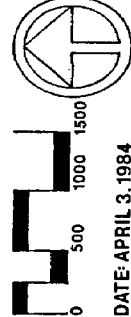


RAILROAD RIGHT OF WAY



SCENIC VISTAS

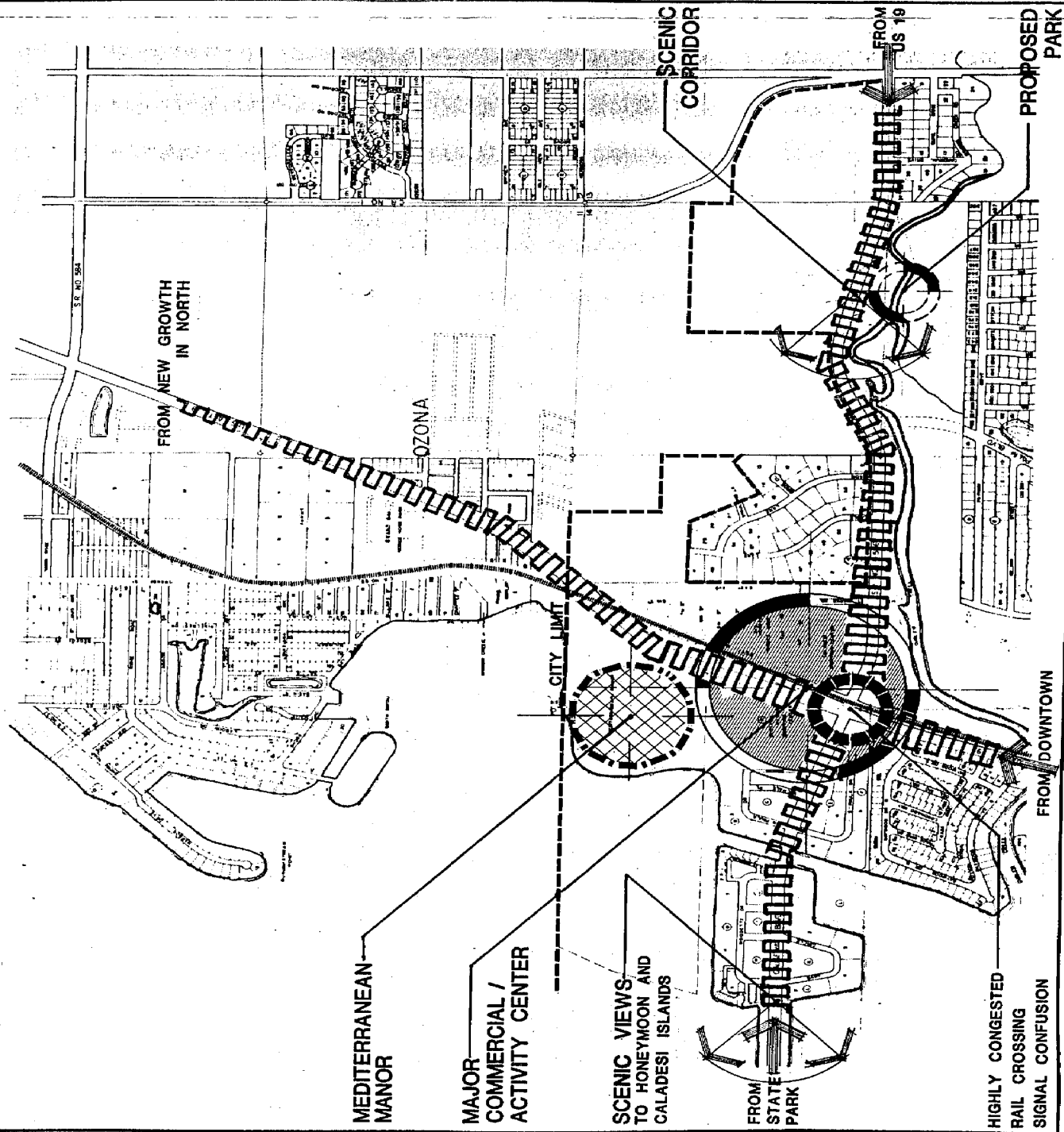
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Views/Vistas

The only views of the ocean in Area D available to the public are at the first overpass on Causeway Boulevard west of the mainland, which is generally ignored due to trying to reach the other view which initiates the scenic drive to Honeymoon Island approximately one-half mile west of the intersection of U.S. Alternate 19. Approaching the west via S.R. 586 from C.R. 1, the views are pleasant with vacant/agricultural land to the north and Curlew Creek to the Dunedin Golf Course to the south. Adding to this scenic drive is a bend in the road alignment.

The vistas on S.R. 586 however, become disordered as one approaches the intersection of U.S. Alternate 19. The various signage types, the clutter of parking and traffic associated with the commercial developments is compounded with the railroad crossing. There is one identification which is inexplicably not made clear by signage: the direction to Honeymoon Island.

Due to the high concentration of mixed use development on the waterfront there is no public access to the waterfront.

AREA D RECOMMENDATIONS

Objectives

- Control growth of commercial development
- Promote pedestrian usage of waterfront
- Encourage development of an interlinking park system

Recommendations

1. Coordinate expansion of commercial activity at Curlew Creek Road and U.S. Alternate 19
 - A. Develop overall design plan including landscaping, signage, etc.
 - B. Create an entry and identification to Honeymoon Island
2. Permit limited commercial development to occur northward along U.S. Alternate 19
 - A. Concentrate commercial activity instead of allowing it to "strip" along major corridors

WATERFRONT UTILIZATION PROGRAM

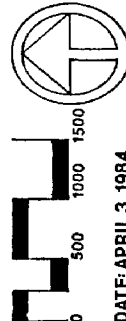
CITY
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DUNEDIN

STUDY AREA D RECOMMENDATIONS

OBJECTIVES

- Control Growth Of Commercial Development
- Promote Pedestrian Usage Of Waterfront
- Encourage Development Of An Interlinking Park System

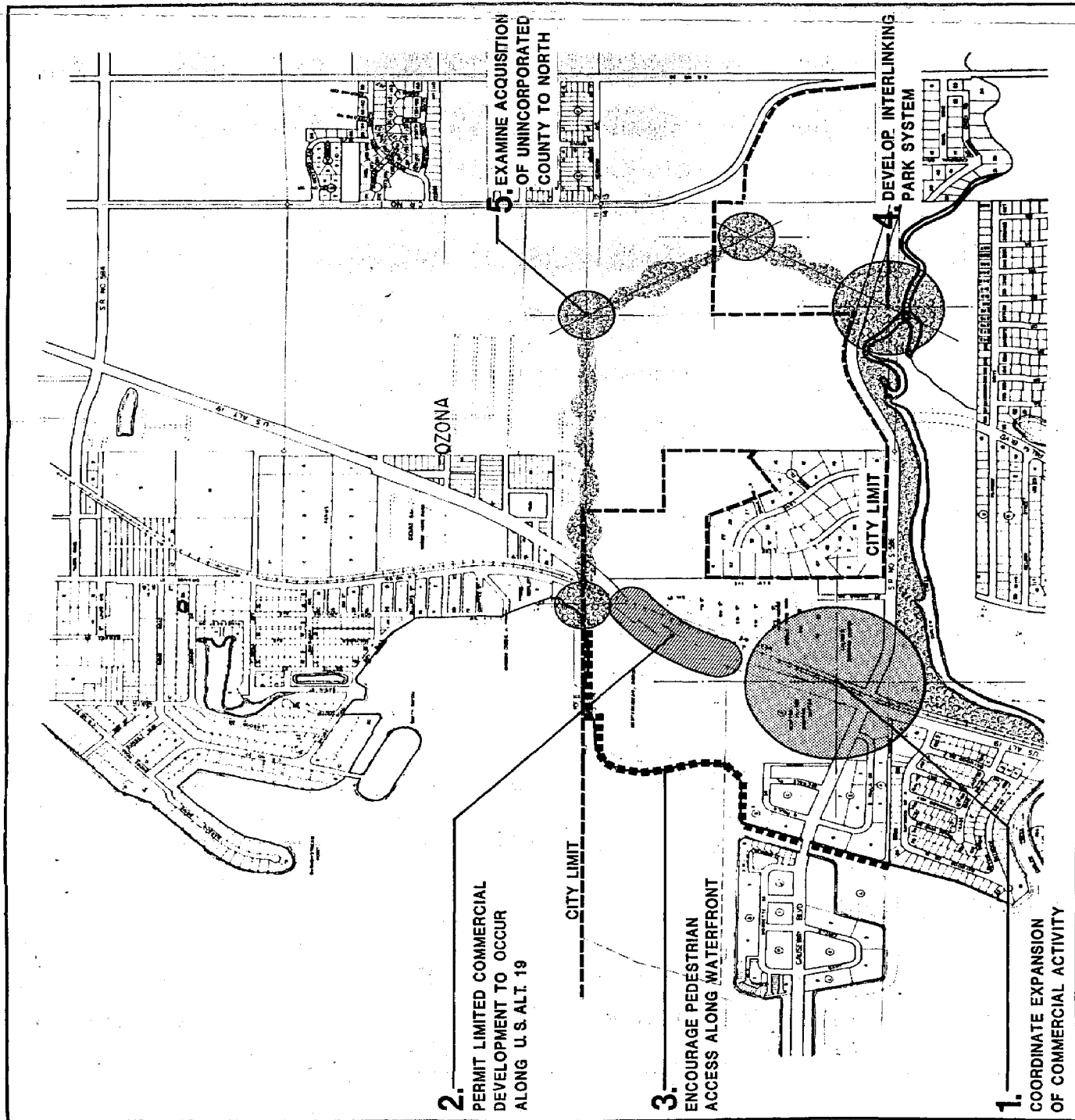
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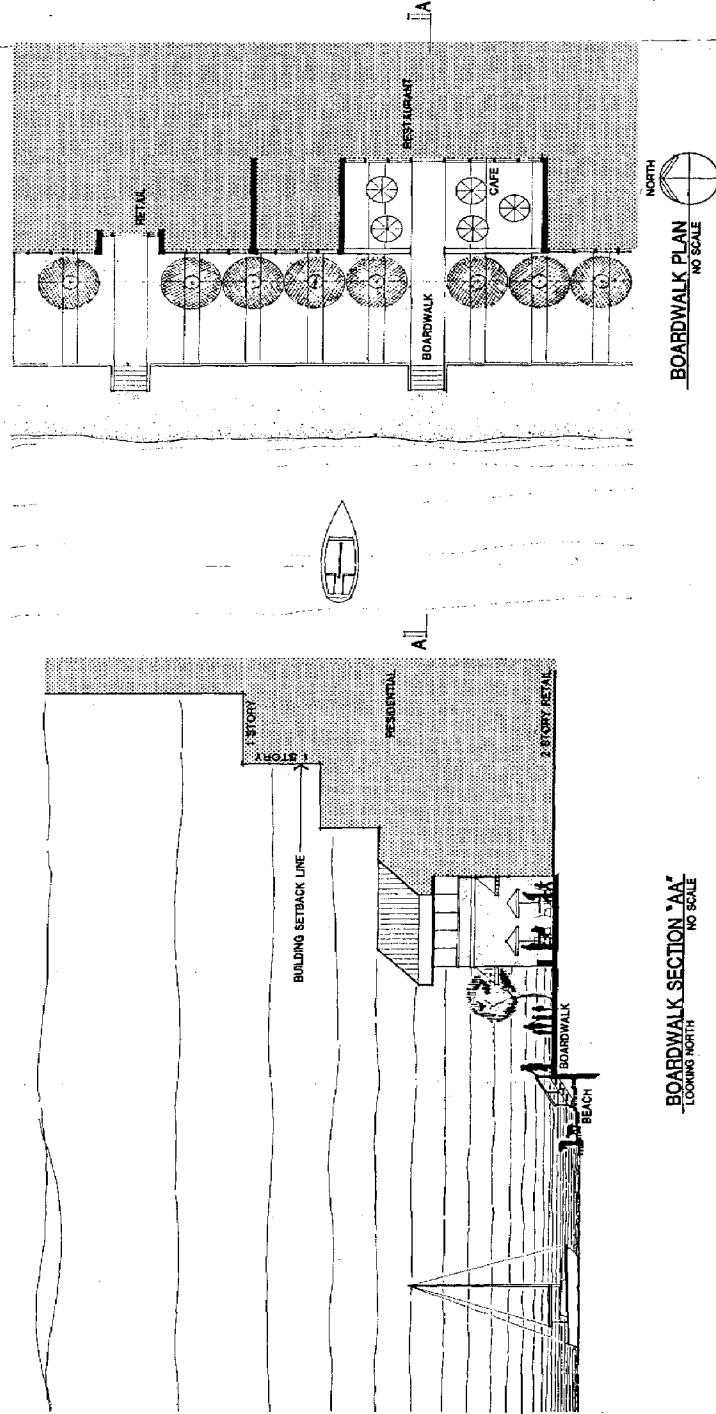


- B. An amendment to land use plan and eventually the zoning code to allow "light or general" commercial would be required
 - C. Growth to south would extend into single family residential and result in a conflict of uses
3. Encourage pedestrian access along waterfront
- A. As part of City development policy for area, site plan review enforce concept or even condemn for public park/open space
 - B. Can be retail/commercial oriented
 - C. Boardwalk theme
4. Develop a height/building set back for new development along waterfront
- A. Could be similar to the downtown height restrictions
 - 1. Maximum of eight stories with a one foot set back for every additional foot above twenty-five feet
5. Develop interlinking park system
- A. Vacant land offers opportunity to create park land
 - 1. Demand and acquisition process as outlined in "Parkland Feasibility Study", 1982
 - B. Encourage proposed Curlew Creek Park
 - C. Park system could help in providing access to waterfront
 - D. Require new developments to provide open space/recreation
6. Examine acquisition of unincorporated county to north
- A. Implement park system
 - B. Gain land use control of growing area
 - C. Increase tax base

WATERFRONT UTILIZATION PROGRAM CITY OF DUNEDIN

STREETSCAPE STUDY BOARDWALK

DATE: APRIL 3, 1984
McElvy Kenneth Stefany Howard, Inc.
Architecture Planning Interior Design
ASST. FREED, STEARNS WATSON & GREER,
ATTORNEYS AT LAW



AREA E

Land Use

Area E is primarily a recreational/conservation open space and consists of the Causeway Boulevard, Honeymoon Island and Caladesi Island. Both of these environmentally sensitive barrier islands were purchased in phases since 1974 by the State of Florida. Honeymoon Island is currently being utilized as a park and being improved to be a major regional recreation facility. The program will include improved beach areas, picnic areas, hiking trails and support facilities. To further attract people to the park, the ferry that transports visitors to Caladesi Island, a preserved environmentally sensitive island, was moved to Honeymoon Island from the City Marina.

The Royal Stewart Arms, a high density residential complex is the only major development in the area. The Causeway Boulevard area is also utilized by individuals for recreation ranging from swimming and fishing to wind surfing.

Zoning

Perhaps the most controversial area in Dunedin is the Causeway and its beaches. Although the state owns most of the Causeway land and Honeymoon Island, the City of Dunedin owns two large parcels adjacent to the causeway zoned MP, (Marine Park) and the privately owned residential complex Royal Stewart Arms, zoned PR (Planned Residential), owns a large parcel just east of the Honeymoon Island municipal beaches. (See Appendix, "Map of City and Private Ownership of Causeway".)

Honeymoon Island State Park has extensive existing and/or proposed recreational uses including: ferry station for Caladesi Island, several public beaches, concession buildings, picnic area, nature study area, etc. making it a magnet luring residents and tourists from all over the Tampa/Clearwater area. (See Appendix "Base Map of Honeymoon Island State Recreation Area.") All of these park users must be funneled through Dunedin, and across the Causeway, passing through congested multi-family and commercial areas.

Although zoning is one method to consider using to control and preserve this vast waterfront property, the existing city ownership and MP zoning designation of large portions of Area E should enable the City to regulate the area by non-zoning ordinances addressing traffic, vending, and other concerns governing public use of city property.

WATERFRONT UTILIZATION PROGRAM

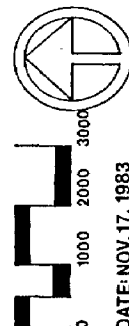
CITY
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STUDY AREA E

EXISTING ZONING

AR AGRICULTURAL RESIDENTIAL
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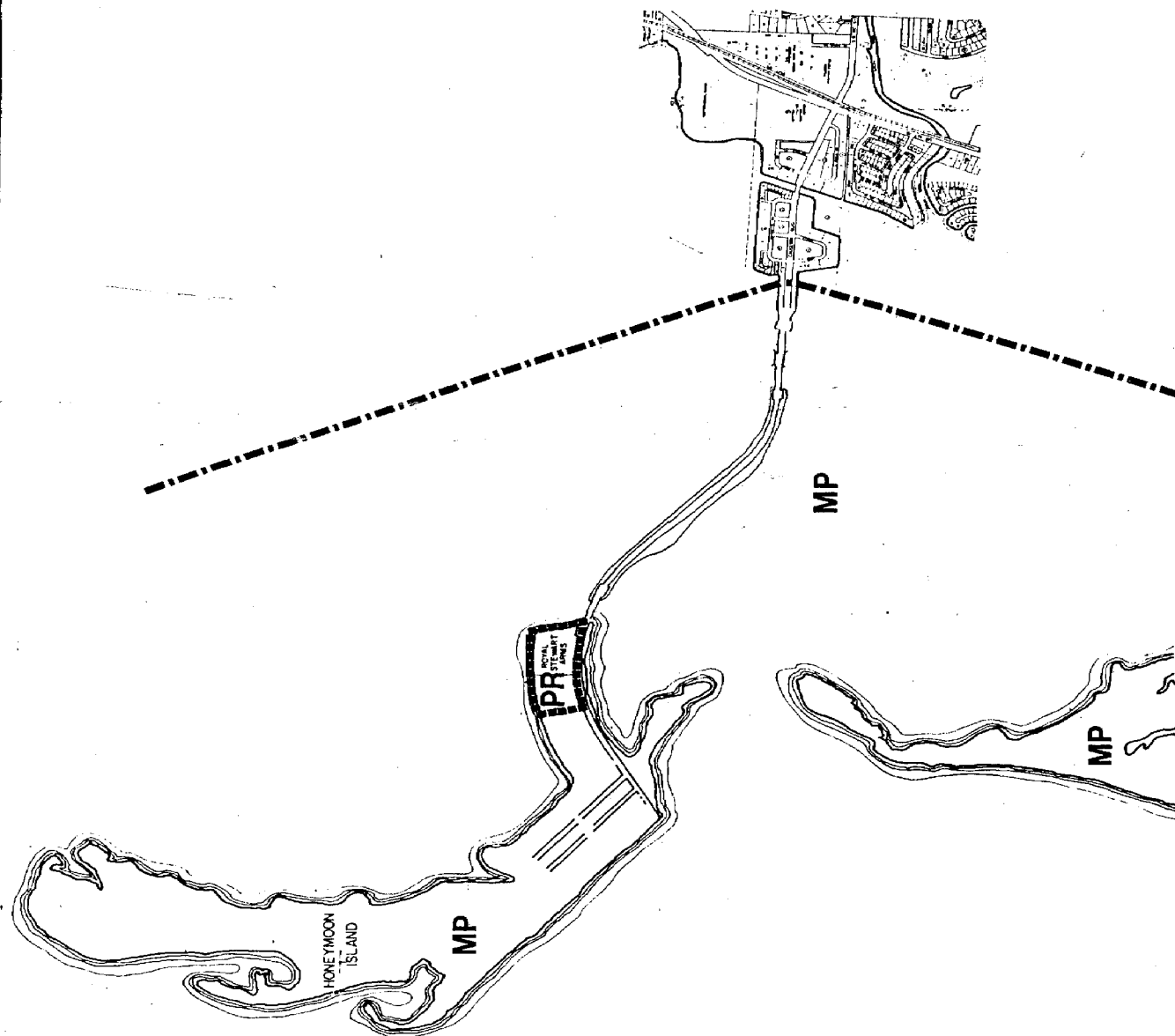
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DATE: NOV. 17, 1983

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As is evident from the area-by-area examination above, the zoning framework of the City of Dunedin, although obviously attempting to address waterfront concerns, has been somewhat inconsistent and haphazard, as is the case in most cities, due to the inherent limits of the zoning process. Methods of dealing with the problems of Dunedin's existing zoning are addressed later in this section under the heading "Development Controls".

Transportation

However, affecting this major recreation facility is the fact that the only access is via the two lane Causeway Boulevard. Most of the traffic on the Causeway is headed to and from Honeymoon Island, but some do stop to make use of the open land area adjacent to Causeway Boulevard. This traffic is uncontrolled as it pulls on and off the roadway conflicting with through traffic. Adding to this confusion is the problem of drivers who are appreciating the view. As the state park develops, this problem will increase.

The residents of Royal Stewart Arms have already stated their concern about the congestion, and a study was completed in August, 1983 which confirms this issue. In addition, the proposed boat ramp and parking by the City of Dunedin on the Causeway may or may not help alleviate this problem.

Views/Vistas

Heading west along the Causeway, views of the ocean and barrier islands become apparent about one-half mile from the intersection of U.S. Alternate 19. From this point, there are infinite vistas in all directions of the water, natural barrier islands, and the recreational activities. The same can be stated about views as one heads back to the mainland but these views have the City of Dunedin as a backdrop.

WATERFRONT UTILIZATION PROGRAM

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STUDY AREA IMAGE ANALYSIS



RESIDENTIAL



COMMERCIAL / MEDICAL



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TRAFFIC CONFLICT



TRAFFIC FLOW

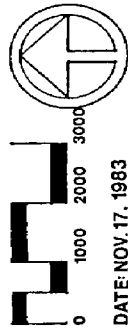


RAILROAD RIGHT OF WAY



SCENIC VISTAS

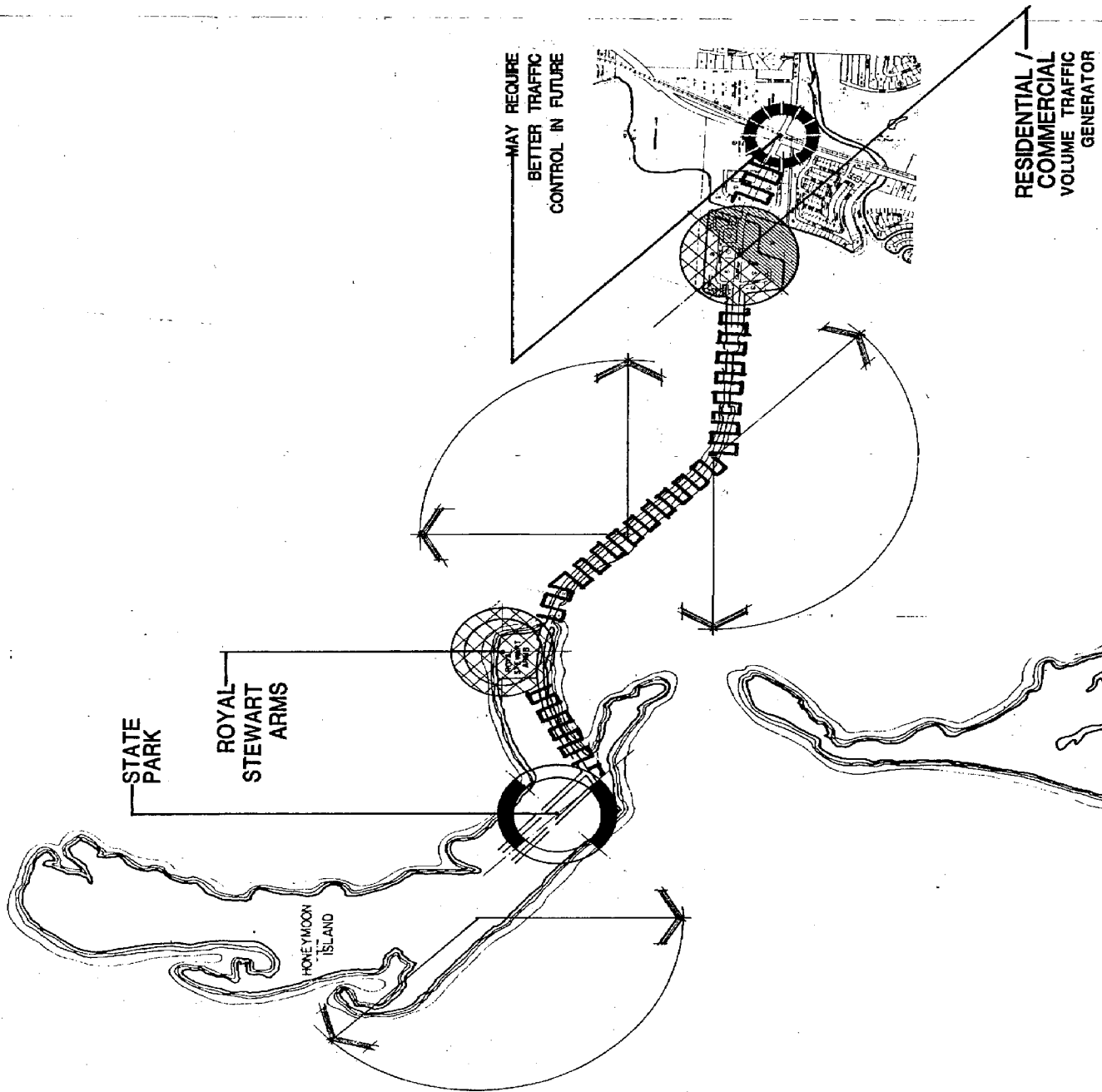
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AREA E RECOMMENDATIONS

Objectives

- Provide a safer drive to Honeymoon Island from the mainland, with considerations for increasing traffic demands
- Provide a more enjoyable drive
- Accommodate in an orderly, safe manner the various activities that are attracted to the causeway
- Preserve scenic character and views from causeway

Recommendations

1. Control traffic access on and off causeway
 - A. Limited turn off/on access roads
 - B. Use landscaping to deter random turn offs in addition to providing a more aesthetic drive
 1. Washington and Royal Palms 40 ft. O.C. with hedge inbetween
 - C. Develop signage standard that will direct traffic in a safe manner as well as enhance the scenic corridor as a part of the overall design theme.
 1. Use State of Florida Department of Transportation sign that is used for special attractions
 2. This sign could be mounted on a standard as selected in the overall theme, i.e., Cypress wood
 3. Directional signage to the Causeway and Honeymoon Island could start east of U.S. Alternate 19 along Curlew Creek Road and north and south of Curlew Creek along U.S. Alternate 19

2. Separate the various existing recreational activities while enhancing the utilization and safety of the Causeway
 - A. In accordance with land use and comprehensive plan as recreation/open space
 - B. Designated areas for fishing, boating, wind surfing, vendor and swimming
 - C. Preserve an area to enjoy views
 - D. Provide a bicycle/jogging path
 - E. Provide access for emergency vehicle in case of back-up on causeway
 - F. Designated boat ramps
 - G. Designated parking areas

WATERFRONT UTILIZATION PROGRAM

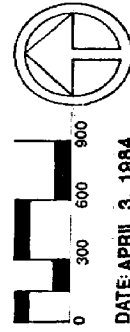
CITY
OF
DUNEDIN

STUDY AREA RECOMMENDATIONS

OBJECTIVES

- Provide A Safer Drive To
Honeymoon Island From The Main
Land With Consideration For
Increasing Traffic Demands
- Provide A More Enjoyable Drive
- Accommodate In An Orderly, Safe
Manner The Various Activities
That Are Attracted To The
Causeway
- Preserve Scenic Character &
Views From The Causeway

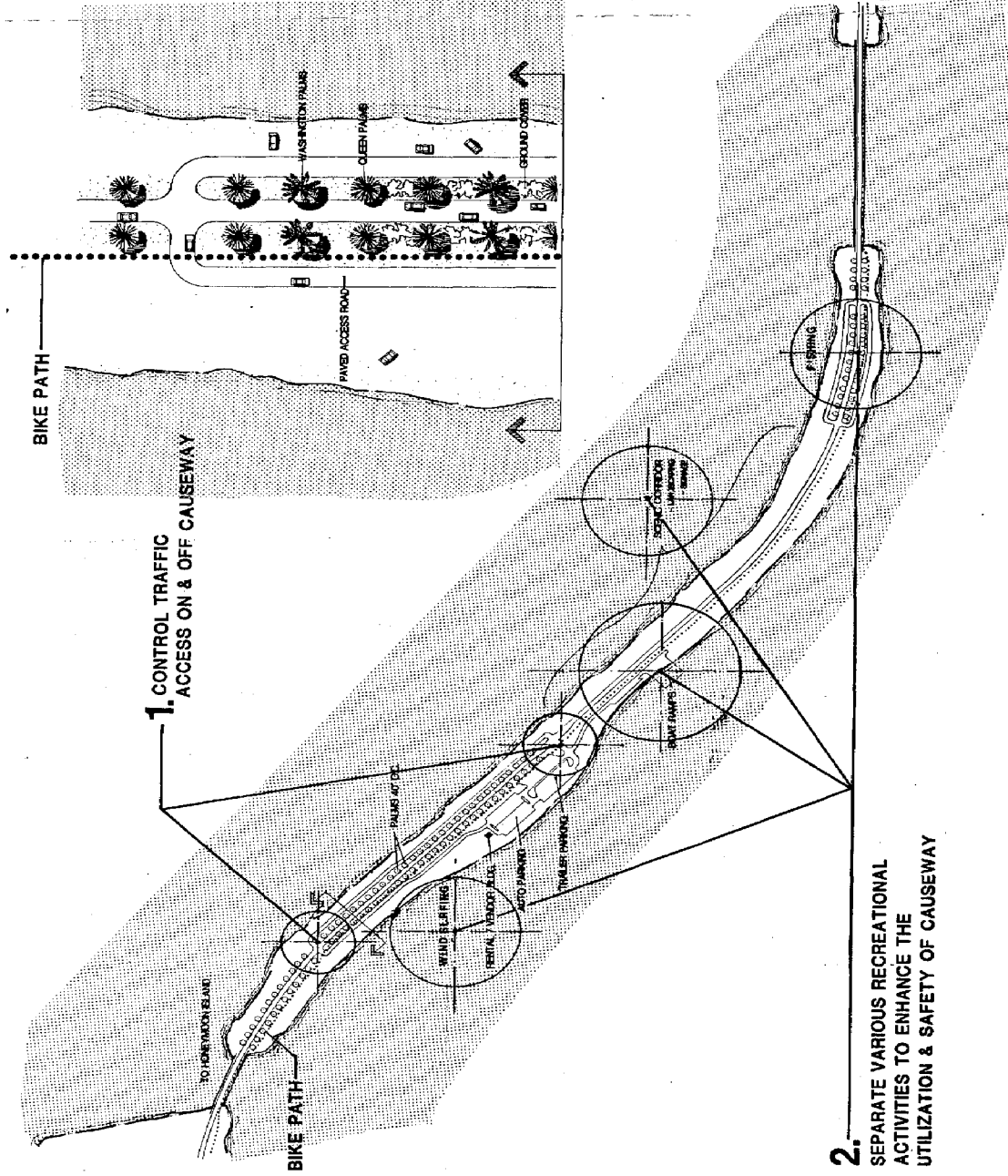
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DATE: APRIL 3, 1984

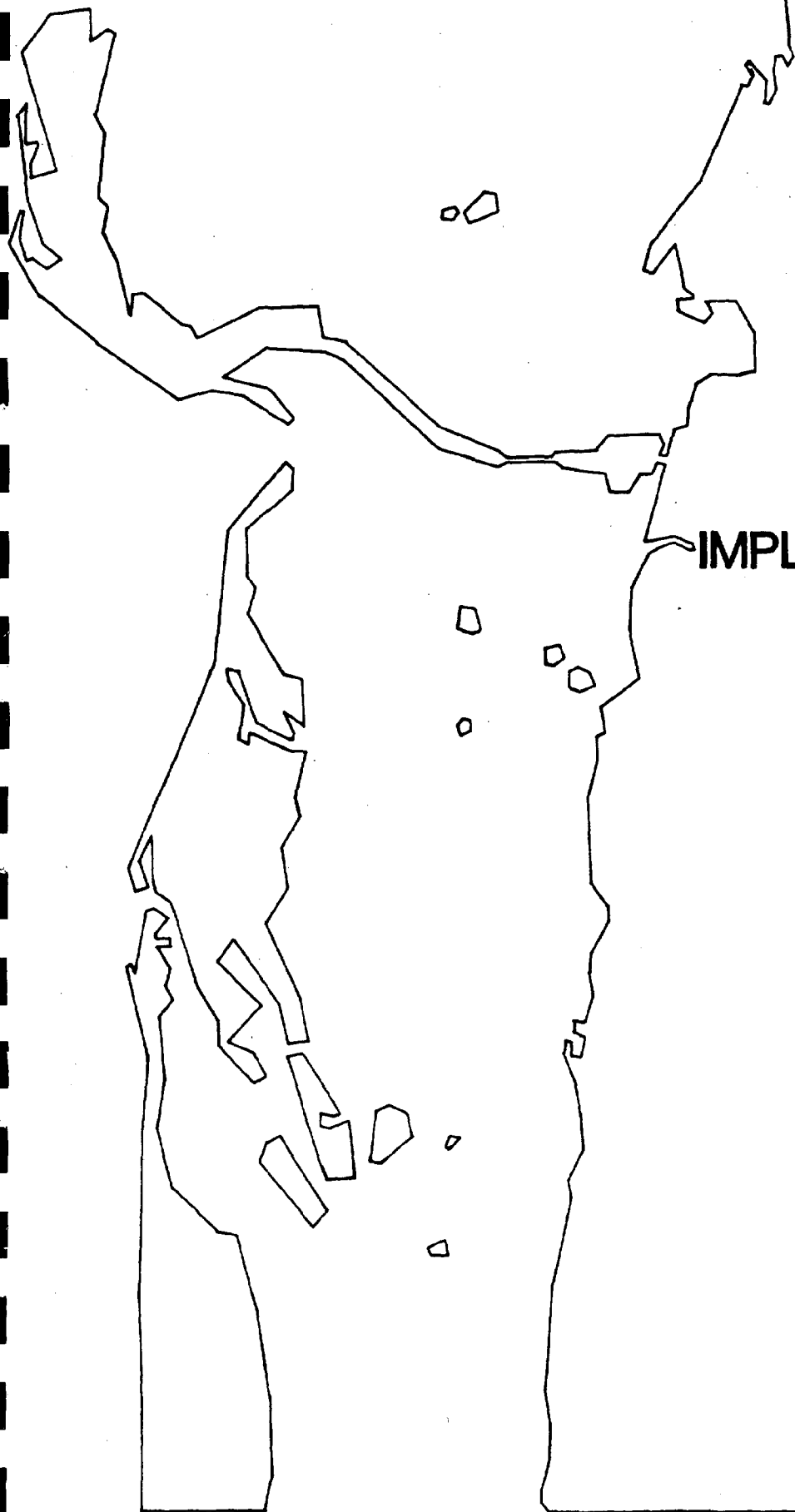
McElvy Jennifer Stelany Howard, Inc.
Architecture Planning Interior Design

ABERY, FREED, STEARNS WATSON & GREENE
ATTORNEYS AT LAW



WATERFRONT
UTILIZATION
PROGRAM

IMPLEMENTATION



IMPLEMENTATION OF
WATERFRONT ACCESS AND UTILIZATION PLAN

The following sections provide an examination of the legal mechanisms, including recommendations for amendments to ordinances, which will be necessary to implement the recommendations which have been set forth and discussed in detail earlier in this report.

Briefly, these implementation techniques include:

- (a) Eminent Domain and Acquisition of Land for Public Purposes;
- (b) Downtown Redevelopment Programs;
- (c) Vacating of Downtown Streets for "Super Block";
- (d) Establishment of a Historic District;
- (e) Annexation of Unincorporated County Property;
- (f) Causeway Regulation;
- (g) Zoning and Land Use Techniques, including:
 - (1) Site Plan Review;
 - (2) Height and Setback Controls;
 - (3) Waterfront Zoning Designations;
 - (4) Required Dedication of Parklands;
 - (5) Bike Routes and Pedestrian Paths;
 - (6) Moratoria; and,
 - (7) Bulkhead, Seawall and Dock Requirements.

Sections on "Funding Municipal Projects" and on "Legal Costs" are also included.

EMINENT DOMAIN AND
ACQUISITION OF LAND
FOR PUBLIC PURPOSES

Among the recommendations for Areas A, C, and D, is acquisition of additional land for parks. Section 1.02 of the Dunedin City Charter provides:

The City shall have the power to acquire by purchase, gift, devise, condemnation or otherwise, property, real or personal, or any estate or interest therein, within or without the City, and for any of the purposes of the City, and to improve, sell, lease, mortgage, pledge or otherwise dispose of the same or any part thereof, provided that the purchase or sale of any real property shall require the affirmative vote of two-thirds (2/3) of the full commission.

This authority is based in part on the municipality's right of "eminent domain" which is the power of government to take private property for a public use or purpose without the owner's consent, in return for the payment of just compensation. "Condemnation" is the use of the power of eminent domain. The power of eminent domain is subject to the following constitutional limits: (1) no person shall be deprived of property without due process of law; and (2) no private property shall be taken except for a public purpose, with full compensation paid to the owner.

All municipalities in the state may exercise the right and power of eminent domain for the following uses or purposes, pursuant to Chapter 166, Florida Statutes:

1. For the proper and efficient carrying into effect of any proposed scheme or plan of drainage, ditching, grading, filing, or other public improvement deemed necessary or expedient for the preservation of the public health, or for other good reason connected in anywise with the public welfare or the interests of the municipality and the people thereof;

2. Over railroads, traction and streetcar lines, telephone and telegraph lines, all public and private streets and highways, drainage districts, bridge districts,

school districts, or any other public or private lands whatsoever necessary to enable the accomplishment of purposes listed in § 180.06;

3. For streets, lanes, alleys, and ways;
4. For public parks, squares, and grounds;
5. For drainage, for raising or filling in land in order to promote sanitation and healthfulness, and for the taking of easements for the drainage of the land of one person over and through the land of another;
6. For reclaiming and filling when lands are low and wet, or overflowed altogether or at times, or entirely or partly;
7. For the abatement of any nuisance;
8. For the use of water pipes and for sewerage and drainage purposes;
9. For laying wires and conduits underground, and
10. For city buildings, waterworks, ponds, and other municipal purposes which shall be coextensive with the powers of the municipality exercising the right of eminent domain.

This broad power to acquire property for the public use by way of eminent domain should be thoroughly considered by the City of Dunedin as a method of acquiring property for parks, recreation areas, and the like, when such property cannot be acquired by voluntary sale.

As a general rule, the power to condemn property for public use is limited to property necessary for the public use in question. Even though the purpose for which condemnation is sought is recognized as a public use, it must be shown that the particular condemnation is necessary for that public use. The necessity need not be absolute, but only reasonable, and one that combines the greatest benefit to the public with the least inconvenience and expense to the owner of the condemned property.

When property is taken by eminent domain, the compensation to be awarded the owner is its fair market value at the

time of taking. Courts determine the value of the property by taking into account all facts and circumstances that bear a reasonable relationship to the loss caused the owner by virtue of the taking. In determining fair market value, all factors should be considered that would reasonably be given weight in negotiations between a willing seller and a willing buyer without consideration of the fact that the property is subject to condemnation proceedings.

Thus, the expense of acquisition through condemnation and court proceedings is a consideration for the City. Direct purchase of property is normally attempted by a municipality before condemnation proceedings are undertaken.

ENCOURAGEMENT OF DOWNTOWN REDEVELOPMENT

A method which should be considered for encouragement of downtown redevelopment in Area B is the creation of a community redevelopment agency, pursuant to Florida Statute Chapter 163. Upon a finding that slum or blighted areas exist in a municipality and that redevelopment of such areas is necessary in the interest of "public health, safety, morals, or welfare of the residents of county or municipality," a city may form a community redevelopment district.

Blighted area is defined to mean either:

(a) An area in which there are a substantial number of slum, deteriorated, or deteriorating structures and conditions which endanger life or property by fire or other causes or one or more of the following factors which substantially impairs or arrests the sound growth of a county or municipality and is a menace to the public health, safety, morals, or welfare in its present condition and use:

1. Predominance of defective or inadequate street layout;
2. Faulty lot layout in relation to size, adequacy, accessibility, or usefulness;
3. Unsanitary or unsafe conditions;
4. Deterioration of site or other improvements;
5. Tax or special assessment delinquency exceeding the fair value of the land; and
6. Diversity of ownership or defective or unusual conditions of title which prevent the free alienability of land within the deteriorated or hazardous area; or

(b) An area in which there exists faulty or inadequate street layout; inadequate parking facilities; or roadways, bridges, or public transportation facilities incapable of handling the volume of traffic flow into or through the area, either at present or following proposed construction. However, for purposes of qualifying for the tax credits authorized in Chapter 220, "blighted area" means an area described in paragraph (a). Fla. Stat. 163.340(8) (1983).

Slum area is defined as:

An area in which there is a predominance of buildings or improvements, whether residential or non-residential, which by reason of dilapidation, deterioration, age or obsolescence, inadequate provision for ventilation, light, air, sanitation, or open spaces, high density of population and over-crowding, the existence of conditions which endanger life or property by fire or other causes, or any combination of such factors is conducive to ill health, transmission or disease, infant mortality, juvenile delinquency, or crime and is detrimental to the public health, safety, morals, or welfare. Fla. Stat. §163.340(2) (1983).

Dunedin could perhaps qualify its downtown area into the "blighted" category under section (b), above.

Legally, the main difference between slum and blighted areas is that a slum is an area where conditions actively and directly menace the essential public order, while a blighted area is one where conditions are not conducive to sound growth, and the public good is impaired by the various impediments to such growth.

Once a city has set up a community redevelopment agency and has determined that a blighted area exists, a community redevelopment project may be planned by the agency. The plan must indicate all land use matters, building requirements and property acquisition needs as well as conform to the comprehensive land use plan for the county or municipality. The City Commission would then hold public hearings to consider the plan. After the hearing, the

commission could approve the project and its plan if there is a feasible way to relocate people who will be dislocated by the project; if the plan conforms to the general plan of the city; if adequate recreational space is provided in the project; and if the plan would afford maximum opportunity for private enterprise to redevelop the area.

The community redevelopment agency will be given all the powers needed to carry out the purposes of redevelopment of blighted areas. However, certain powers will continue to be vested in the City Commission, such as the power to declare that an area is a slum or is blighted and suitable for redevelopment, the power to hold public hearings and to grant final approval to the redevelopment plan, and the power to issue bonds and to approve the acquisition or demolition of property.

Any municipality or community redevelopment agency has the right to acquire property by eminent domain if it is considered necessary to carry out the redevelopment project. It may also acquire property already designated for public use, but it may not take any property of the United States, the state or any political subdivision of the state without its consent.

Once the municipality or redevelopment agency has acquired the property by eminent domain, it may sell, lease, or enter into contracts with respect to the land in accordance with the community redevelopment plan. The property must be sold or leased at its fair market value after public notice of the sale and competitive bidding by the public.

The exercise of the power of eminent domain is, however, subject to several restrictions, as noted earlier. The power of eminent domain is that of the government to take private property for a public purpose without its owner's consent. Two primary points that must be made in a petition for eminent domain proceedings are that (1) the taking is necessary, and (2) the property is being acquired for a public use.

Legally, the City need only present some evidence showing that a taking is necessary. In a case involving a community redevelopment project under Chapter 163, the court held that the maps to the plan were sufficient evidence to show the City's need for the subject property.

The agency did not have to pinpoint the need for that particular piece of property.

The second point which must be made in an eminent domain proceeding is that the property is being acquired for a public use. The Florida Constitution provides that "no private property shall be taken except for a public purpose and with full compensation therefor paid to each owner." For the use to be public, the public must have a right to use and enjoy some portion or all of the property. The use may be partly public and partly private, but the primary use must be public with only an incidental private use.

A recent Florida Supreme Court decision said that, because the legislature has determined that projects using eminent domain to redevelop blighted areas serve a public purpose even though substantial portions of the redeveloped properties will be used by private individuals, the City's determination of public purpose should be presumed valid unless it is arbitrary or clearly erroneous. The court did say that it has consistently held that a governmental authority may not acquire private property through eminent domain proceedings for the sole purpose of making the property available for private use. However, they went on to hold that the use of eminent domain for acquisition and clearance of blighted areas is in furtherance of a public purpose and is constitutional even though the redevelopment will substantially be for private and commercial purposes afterwards.

Thus, if the City of Dunedin seeks to create a community redevelopment agency for its downtown and to acquire private property as part of the redevelopment plan, every attempt should be made to substantiate and emphasize its public purpose, although the eventual use of the property may be predominantly private and commercial.

VACATING DOWNTOWN STREETS
FOR "SUPER BLOCK"

The Dunedin City Charter, Article I, §1.03(a), provides that the City Commission shall have the power to alter streets, avenues, alleys, sidewalks and other public ways and thoroughfares. Other than this section, the Code makes no reference to the power or procedure to vacate streets. Instead, the actual power to do so is found in the Florida Statutes.

The basic power of a municipality to vacate streets is found in Florida Statute §167.09, which states:

The city or town council or commission may lay off such...streets, avenues, lanes, highways, ..., etc., as may seem necessary and expedient for the public health or interest, ... and the said city or town council or commission may alter ... or discontinue any ... street, avenue, highway, or any other way which has heretofore been or shall hereafter be laid out, either by cities or persons, natural or artificial, fixed or established in any manner whatsoever....

The power of a municipality to vacate streets is discretionary and generally valid unless there has been an abuse of this discretion in which the city acted without regard to the rights of the public.

Although the public places of a municipality are held in trust by municipal authorities for the benefit of the public, this does not prevent vacation of streets when done in the interest of the general welfare. Furthermore, the fact that the title of the street reverts to the abutting owner does not invalidate the action vacating the street.

In 1973 the legislature actually repealed the state statute noted above. However another statute provides that municipalities may continue to exercise all powers in the repealed section at their own discretion, subject only to the terms and conditions which they choose to prescribe. Municipalities may choose one of two methods to obtain the power to vacate streets. Many cities enact ordinances under their home rule powers which establish the power and

procedures for such actions. Others employ the general grant of power found in the state statutes and prescribe their requirements administratively.

Having no ordinance on this subject, Dunedin took its power to vacate streets from the Florida Statutes. According to the city attorney for Dunedin, the city developed its procedure for vacating streets through years of habit and practice. Each application, before approval, requires a resolution passed by the Dunedin City Commission. However, the Florida Attorney General has concluded that with respect to the permanent vacating of a street by a municipal body the more appropriate procedure would be the adoption of an ordinance rather than a resolution. Dunedin should, at the very least, consider revising its procedure so that the City Commission passes an ordinance rather than only a resolution each time it vacates a street. Or, better yet, the City should consider passing a comprehensive ordinance setting forth street vacating procedures in its City Code.

An example of a municipal ordinance which specifically delineates the procedure to be followed in vacating streets and alleys is set forth in the Appendix. This sample ordinance requires the presentation of a petition and describes the contents, form, cost, and filing of such petitions. It establishes the procedure on receipt of a petition, fixing a date for a public hearing, and posting signs. This ordinance could easily be adapted to become the basis of a similar ordinance for Dunedin.

ESTABLISHMENT OF HISTORIC DISTRICT

One of the recommendations for Area B is that of establishing a historic district for the Victoria Drive area. Cities and counties throughout our state are beginning to recognize that older homes, buildings, and landmarks are valuable resources, which enhance the atmosphere of their communities. The State of Florida has recognized the value of historic sites and has expressed a policy in favor of historic preservation by the passage of a statute on the topic, and the Federal Government has similarly recognized the value of historic preservation by passage of such legislation as the Natural Trust for Historic Preservation.

One of the primary methods for facilitating historic preservation is through the establishment of historic districts. A historic district is a "confined area containing buildings, structures, sites, objects, and spaces linked historically through location, design, setting, materials, workmanship, feeling, and/or association." The purpose of such a district is to produce a sense of time and place in history, which a particular district's components convey. At the same time, a historic district allows for the preservation of these components for the enjoyment of future generations. The Victoria Drive area appears to be an approximate area for historic preservation. (See Appendix for list of Dunedin's historic structures).

There are several different methods by which communities can preserve historic sites, buildings, and landmarks. These are outlined briefly below:

1. Federal Landmark Registration - The Federal Government has approved a means by which nationally significant, historical monuments, buildings, houses, etc. can be designated as such and given special privileges (such as grants and tax incentives). These landmarks, once approved by the Department of the Interior, are entered onto the National Register of Historic Places.

2. State Historic Preservation Advisory Council - Florida Statutes §267.0612 creates within the Department of State a "historic preservation advisory council." This council assists in identifying and recommending which property within the State has historic significance. The

council can further consider proposals for State historic preservation markers.

Section 267.0612 also creates a historic preservation trust fund, which appropriates funds to be used as grants to aid in preservation projects.

3. County Historical Commission - Florida Statutes §125.01 gives County governments the ability to create historical commissions.

4. Municipal historical districts - Municipalities, such as the City of Dunedin, can use several approaches to create local historical districts:

(a) Modification of zoning requirements - Some municipalities have rezoned certain properties as Historic Conservation (HC). These properties are subject to existing zoning regulations, and additionally, the "HC" overlay zone. The result of HC zoning is that before any construction, repair, or demolition of structures within these zones will be allowed, the proposed action must be reviewed by the municipality's historic preservation board.

(b) Local ordinance creating historic districts - Some municipalities have enacted local ordinances which establish a historic preservation board and procedures to create historic districts. Detailed discussion of such local ordinances will be provided below.

Perhaps the best approach for the City of Dunedin would be to enact a local ordinance which would create a historic preservation board, drawn from respected members of the community, to consider proposals and make recommendations as to which areas of Dunedin would benefit by being designated as "historic districts." Such an ordinance should contain the essential elements listed below:

1. A purpose clause which relates historic preservation to police power and declares the public policy of protecting historic buildings from needless destruction.

2. A board is established with some professionally trained members and some members representing a cross-section of the City.

3. The board is given the responsibility of surveying the City to identify buildings and areas of historic importance.

4. The board suggests buildings and areas for possible designation as landmarks or historic districts, and holds public hearings on the proposals after notice to the owners of the properties under consideration.

5. The board recommends to the City that certain buildings or areas be designated and adopts a report giving the architectural and historical reasons for its recommendation.

6. The City Council decides whether or not to designate the structures as landmarks and the areas as historic districts.

7. The board is given the responsibility of reviewing proposed changes to protected buildings or requests to demolish designated structures. Hearings are required on the plans to ensure public participation in what is often a controversial decision.

8. The board may be given power to delay a proposed alteration or demolition or it may be given the power to deny an alteration or demolition on a designated property as being put to a "reasonable beneficial use."

9. The board is given the responsibility of preparing alternative plans when an owner's proposal would alarm a designated building or area. Other City departments are instructed to assist in the preparation of the alternate plans.

10. When the board approves a proposed alteration, it issues a Certificate of Appropriateness. Demolitions and other controversial work will only be approved by the commission when no viable alternative has been found.

11. The ordinance should contain provisions relating to appeals from decisions of the board.

12. The ordinance should contain provisions giving the Board power to regulate changes to City-owned buildings that are designated.

13. Owners of designated properties are required to maintain their buildings in order to prevent demolition by neglect. The municipality is authorized to act immediately when a dangerous condition exists involving a designated building.

14. Enforcement of the ordinance is provided for by penalties for violations.

15. The board is instructed to maintain records of its hearings, designations, and decisions on submissions from property owners. Designations of landmarks and historic districts are to be recorded in order to place this information in the chain of title.

Advantages of a Historic Preservation Ordinance

1. Increased property value due to special recognition and protection of structures in neighborhoods designated as historically significant.

2. Potential State and perhaps Federal restoration grants.

3. If the local ordinance is certified by Federal standards established for the National Register, tax incentives for preservation may be available.

4. Opportunity to enhance the atmosphere of certain neighborhoods by historic preservation and renovation.

5. Prevention of encroachment into the district by development which would negatively affect the historic atmosphere.

Disadvantages of a Historic Preservation Ordinance

1. Property owners may be disgruntled that they must submit to the development limitations of a historic district.

2. Additional time and expense of carrying on the activities of the Historic Preservation Board may be incurred.

3. Historic districts may increase the value of an owner's property, and thereby result in increased ad valorem taxes.

A historic district would seem to be particularly appropriate in the Victoria Drive area, because such a designation would provide the appropriate mechanism to preserve the unique character of the neighborhood.

ANNEXATION OF UNINCORPORATED COUNTY PROPERTY

One of the recommendations for Area D is that Dunedin should examine acquisition of unincorporated County property to the North of the City limits. The purpose of such acquisition would be to implement and expand the park system, to gain land use control of an area of increased development, and to increase the tax base of the City of Dunedin. Such acquisition could be accomplished through annexation.

Annexation is the process of extending the boundaries of a municipality to include neighboring unincorporated areas as parts of the municipality. Such an extension of the municipal boundaries is a valuable land use planning tool, because it enables a municipality to plan for future demands for municipal services, facilitates land use regulation, and allows a municipality to widen its tax base.

By using annexation to extend the municipal boundaries, persons and property in the newly acquired area become subject to the laws, ordinances, regulations, and liabilities of the municipality and are entitled to enjoy all the same privileges and services that are granted to other parts of municipality.

The purposes to be served by annexation are described by Florida Statute 171.021 as:

- (1) Insure sound development and accommodation of growth;
- (2) Establish uniform legislative standards throughout the state for the adjustment of municipal boundaries;
- (3) Insure the efficient provision of urban services to areas that become urban in character; and
- (4) Insure that areas are not annexed unless municipal services can be provided to those areas.

Thus, if Dunedin wishes to annex new areas to the North, it must have both the legal and actual ability to extend municipal services to the newly acquired area. The law

requires that property being annexed must receive some benefit from the annexation. The benefits which the property will gain are measured against the taxes which will be imposed on the property, the nature of the property, and legislative policy. Annexation solely for the purpose of extending the tax base of a municipality is not a proper grounds for annexation.

Although there are several methods through which property may be annexed by a municipality, (including annexation by a special act of the legislature) the most common methods of annexation are:

- (1) Annexation by municipal ordinance and popular referendum; and

- (2) Voluntary annexation initiated by the owners of property proposed for annexation.

Because the second method involves a request by the residents of an area to be annexed, the method which Dunedin would likely use to annex property would be municipal ordinance and referendum. This method involves adoption of an ordinance by the governing body of the municipality proposing to annex a particular area. After final approval, the ordinance is submitted to a separate vote by the electorate in both the area proposed for annexation and in the annexing municipality. If there is a majority vote against annexation in either the area proposed for annexation or in the annexing municipality, the ordinance does not become effective, and no further attempt to annex the area may occur within 2 years from the date of the referendum.

By Florida law, the area proposed to be annexed must satisfy the following basic requirements:

- (1) The total area to be annexed must be contiguous to the municipality's boundaries at the time the annexation proceeding is begun.

- (2) No part of the area can already be included within the boundary of another incorporated municipality.

- (3) No part of the land can be located in a county other than that of the municipality.

(4) The annexation generally cannot sever or divide a tract of land owned by one individual without his consent.

(5) Part of the total area to be annexed must be developed for "urban purposes" having a total resident population equal to at least 2 persons per each acre to be included, or, if the land is subdivided into lots and tracts such that 60% of the total number of tracts and lots are 1 acre or less, then having a total resident population equal to at least 1 person for each acre of land to be included.

(6) Alternatively, the land may developed so that at least 60% of the total number of lots and tracts in the area are used for urban purposes and is subdivided into lots and tracts so that 60% of the total acreage excluding that part already in use for nonresidential urban purposes, consists of lots and tracts 5 acres or less in size.

(7) If the area does not meet the above criteria, the municipality may nevertheless include such land for purposes of annexation if such area either:

(a) Lies between the municipal boundary and an area developed for urban purposes so that the developed area is not adjacent to the municipality or such that the developed area cannot be served by the municipality without the extension of water or sewer lines through the sparsely developed area; or

(b) Is adjacent on at least 60% of its external boundary, to any combination of the municipal boundary and the boundary of an area developed for "urban purposes."

Although there generally should be population, industrialization, or other similar factors which would classify the area as not being unoccupied, undeveloped, or so remote from the municipality that it would receive little benefit from the annexation, there have been instances allowing annexation of uninhabited, unimproved, and undeveloped wetlands to which the city had never supplied municipal services, on the theory that the condition of the lands did not of itself disqualify them for annexation so long as all normal city services would be available, due to the geographic proximity of the lands, in case development ever were to occur.

Before beginning annexation procedures, a municipality is required to prepare a report outlining its plans for extension of municipal services to the annexed area. If the land to be annexed will not significantly benefit from such services or if the services cannot be provided, the area may not be annexed. In determining the kinds of municipal benefits to be made available in the annexed area, such normal urban services as water, lights, sewer, fire and police protection, and paved streets must be considered. If the only impact of annexation is to impose a heavy tax burden without compensating advantages, annexation would not be proper.

The annexation of an area results in the treatment of that land on the same terms as areas that were already parts of the municipality. That is, residents of annexed areas will become subject to municipal taxes and debt obligations just as other residents are.

Section 27-3-7 of the City of Dunedin Zoning Code provides that the city commission shall zone all territory annexed within 90 days after the effective date of annexation unless the commission by its own action delays such zoning for a period not to exceed an additional 90 days. Additionally, the planning and zoning board is required to give recommendations for the rezoning of such annexed territory within 60 days after the effective date of the annexation. However, where the area annexed was subject to specific use limitations resulting from county land use plans, zoning ordinances, or subdivision regulations, the state annexation statute prohibits an increase or decrease in the density allowed under such county plans and regulations for a period of 2 years from the effective date of the annexation unless approval of such increase is granted by the governing body of the county.

In order for the City of Dunedin to annex property, the City Commission must adopt an ordinance redefining the boundaries of the City to incorporate the areas sought to be annexed. Before an annexation ordinance may be adopted, proper notice must be given, and before it can become effective after it is passed, a referendum must be held, in which a separate vote occurs in both the area proposed for annexation and in the City of Dunedin, and at which an affirmative vote for annexation is received in both areas. Upon approval by the City Commission and delegation by the electorate, the ordinance must be filed with an amendment

to the municipal charter boundary article with the Secretary of State. The referendum may not be held sooner than 30 days following the adoption of the ordinance proposing annexation in order to allow the City to give effective notice of the pending referendum and possible annexation. At the referendum election, the voters are to be given a choice of "for annexation" or "against annexation." If the ordinance is approved in the election, it will become effective 10 days after the referendum or as otherwise provided by in the ordinance, but not more than 1 year following the date of the referendum.

The following is a checklist for annexation under Florida Statute Chapter 171, which should be reviewed by the City staff prior to proposing any areas for annexation:

(1) Land qualifies for annexation as:

(a) Contiguous to the City of Dunedin's boundary or between the boundary and another urban area.

(b) No part of the land is included in another municipality.

(c) No part of the land is in another county.

(d) Annexation will not divide a tract of land owned by an individual without his consent.

(2) The City of Dunedin is able to supply urban services to the area to be annexed.

(3) The following procedures must be followed by the City of Dunedin:

(a) Proper maps must be developed.

(b) Proper certification must be given that the land qualifies for annexation.

(c) Plans must be developed for the extension of urban services into the area.

(d) A non-emergency ordinance to annex the land must be adopted (either proposed by the municipality or by affected landowners).

(e) Referendum is required before the ordinance could be adopted and proper notice that the referendum election must be given.

(f) Referendum is passed by both majority of municipality electors and majority of electors in the area to be annexed.

CAUSEWAY REGULATION

The use of the waterfront property along the Causeway in Area E is a topic of growing concern in light of the increasing development of Honeymoon Island and its attraction as a recreation area. (See Appendix, Causeway Commentary.) The Causeway is currently owned in part by the City of Dunedin and in part by the State of Florida. Traffic control on Causeway Boulevard and regulation of the adjacent beaches is administered by the City of Dunedin.

A traffic study conducted in August, 1983, (See Appendix) stated that DWI (driving while intoxicated) type violations "are prevalent on this area of roadway due to the recreational type atmosphere Driver distraction is also very high due to boating, bathing, fishing and other activities taking the driver's attention from the roadway. Fog, mist, salt residue on windshields, etc. are other safety hazards associated with this area and not normally found at this level at other locations."

This and similar community complaints about the congested and unregulated use of the Causeway prompted the City Commission to pass an ordinance regulating commercial activities on the Causeway and, in conjunction, the City awarded a commercial franchise for City-owned property on the Causeway. Still, more is needed. (See Appendix, May 23, 1983 Memorandum to the City Manager from Director of Planning and Community Services.)

By combining the use of traffic-control mechanisms (e.g. speed limits, traffic signals, parking prohibitions, limitation of access, etc.) and adopting ordinances regulating the uses of City-owned beaches, (e.g. prohibiting certain activities, limiting the areas in which other activities are permitted, and, perhaps, allowing no activity except during daylight hours) the Causeway might be made safer and more enjoyable for those who use it for travel and recreation, even though certain users might be prohibited altogether.

Many of the concerns noted above were addressed by Article III Section 17-51 through 17-77 (see Appendix) of the City of Dunedin Code, which applied to portions of the Causeway and to Dunedin Beach before Honeymoon Island was

transferred to state control. With minor revisions, these code sections should be considered for use to accomplish much of the recommended regulation of the Causeway.

The following revisions to the ordinance should be considered:

(1) Amend the title to: "Article III. Dunedin Causeway."

(2) Amend the text of Section 17-51, as follows:

For the purpose of this chapter, the Dunedin Causeway is defined as all portions of CR 586 and adjacent property west of the Bascule span bridge over which the City of Dunedin has ownership or other jurisdiction and which is not privately owned. Lack of jurisdiction for any one purpose stated in any section of this Article shall not invalidate the application of any other section of this Article.

(3) Change all references from "Dunedin Beach" to "Dunedin Causeway."

The existing Article III requires the public to obey traffic officers and signs, to drive on designated areas only, to park in designated areas only, etc. Thus, there exist legal restrictions to enforce public conformity with current traffic control and parking regulations. Amendments to these Code sections to change access, speed limits, etc. should be enforceable under these existing provisions with the revisions noted above.

Limits on certain activities or designation of areas for fishing, windsurfing, vending, etc. could be accomplished by adoption of appropriate revisions to the ordinance and by accompanying appropriate signage. An example of such an amendment could be an addition to Section 17-70 as follows (amendment underlined):

Sec. 17-70. Swimming and other activities at prohibited times or in prohibited waters.

It shall be unlawful for any person on Dunedin Causeway to swim, bathe, wade, fish, boat, windsurf, or conduct other activity in any waters

or waterways in or adjacent to Dunedin Causeway except in such waters and at such places and during such hours as are provided therefor and in compliance with such regulations as are herein set forth or may hereafter be adopted; nor shall any person frequent any waters or places customarily designated for the purpose of swimming or bathing nor congregate thereat when such activity is prohibited by the city manager upon a finding that such use of the water would be dangerous or otherwise inadvisable.

The City of Dunedin Code §3-19 contains provisions restricting types of signage in the City. However, Section 3-20 exempts certain types of signs from the provisions of the sign ordinance. One of these types is the public sign. "Signs of a non-commercial nature and in the public interest, erected by or on the order of a public official in the performance of his public duty, or required by governmental statute or regulation" are exempt from the general regulations regarding signs. Therefore, the City of Dunedin has the power to erect whatever type of sign it thinks appropriate to control access and traffic and activity along the causeway.

As noted, the existing City Code provides the basic legal mechanism for enforcing the recommended increased regulations of the Causeway, but it will be necessary for the City staff, the City Commission, and the public to decide the extent of regulation needed and desired. Clearly, traffic control and access will need to be dealt with in the near future as use of the Causeway as an approach to Honeymoon Island increases. Limitation of activity in the adjacent waters is a possible controversial issue which may require considerable public comment and discussion.

IMPLEMENTATION OF
ZONING AND LAND USE RECOMMENDATIONS

The recommendations for the studied areas include a variety of zoning and land use considerations, e.g.:

Area A -

- Allow for high density residential development south of Edgewater Arms.
- Encourage multi-family use south of Scotland Street along Douglas Avenue.

Area B -

- Develop design standards for all downtown (heights, etc.).
- Permit neighborhood business to expand.

Area C -

- Do not encourage further expansion of commercial uses along U.S. Alternate 19 South of S.R. 586.
- Infill remaining vacant land with single family units or multi-family developments with a maximum density of 8 units per acre

Area D -

- Permit limited commercial development to occur northward along U.S. Alternate 19.
- Concentrate commercial activity instead of allowing it to "strip" along major corridors.

Implementation of these recommendations will, in some cases, require changes in the comprehensive land use plan, amendments to the zoning code, rezoning of individual parcels, etc. The following is a comprehensive examination of the mechanisms the City of Dunedin could employ to accomplish the recommended goals:

ZONING:

Zoning regulations are one of several legal mechanisms for implementing an area's comprehensive plan for the control of its growth and development. Traditionally, zoning regulations divide land into districts and set forth regulations to be applied in each of those districts to control height and size of buildings, population densities, traffic movement and related matters. Zoning regulations are a legislative exercise of the state's police power and must be reasonably related to the preservation and promotion of the public health, safety, morals, and welfare. Although, generally, zoning ordinances follow a standard system, the goals and plans that they are aimed at implementing differ dramatically.

The preservation and enhancement of a community's aesthetic appeal and character, especially as related to environmental concerns, are a legitimate basis for the exercise of zoning power. This is an excellent basis on which Dunedin could enact new or amend its existing zoning ordinances to further protect, preserve, and encourage use and availability of its waterfront from an aesthetic and environmental standpoint.

The validity of a zoning ordinance based on aesthetic considerations is subject, of course, to the same test of public good versus private loss as are all other zoning regulations. The key in determining the validity of these ordinances generally involves a balancing of the private loss against the public gain to be achieved. In this balancing process, however, aesthetics generally have not been considered equal in significance to the more traditional factors justifying the exercise of the police power, i.e., health, safety, morals or economic loss. Accordingly, reliance solely on promotion of community aesthetics as justification for the validity of a zoning or other land use restriction is questionable, and thus, attempts at zoning for aesthetic goals should incorporate more urgent concerns, e.g. the environment.

The protection of neighborhoods and the preservation of their integrity and character have traditionally been recognized as a proper purpose for zoning regulations. However, the neighborhood character identified in a comprehensive zoning plan may change, and the regulations may be attempting to impose a land use no longer in

accordance with the pattern of development. For example, the character of a neighborhood originally zoned as a single-family residential district no longer may support that use because of changing social and economic patterns. In such a case, change in zoning and land use regulations would be appropriate to reflect such change. Additionally, zoning regulations are commonly used to control land usage so as to prevent excessive traffic congestion on surrounding roads.

COMPREHENSIVE LAND USE PLAN:

The Local Government Comprehensive Planning Act of 1975, requires that all local governments enact plans that comply with the statute and contain the following elements:

- a. principles, guidelines and standards for the orderly and balanced future economic, social, physical, environmental and fiscal development of the area;
- b. a consistency and coordination between its elements and a plan, which shall be economically feasible;
- c. economic assumptions and fiscal proposals for capital improvements;
- d. a coordination of the plan with the plans of the county, related local governments, the regional plan and the state comprehensive plan; and
- e. policy recommendations for implementation.

The relationship between the plan and local zoning ordinances is set forth in the act as follows:

It is the intent of this act that adopted comprehensive plans or elements thereof shall be implemented, in part, by the adoption and enforcement of appropriate local regulations on the development of lands and waters within an area.

The act states further that, "no public or private development shall be permitted except in conformity with comprehensive plans, or elements or portions thereof, prepared and adopted in conformity with this act."

The comprehensive plan, however, is not a mandatory or dictatory zoning plan. It is, rather, a guide for future decisions relating to rezoning petitions and growth and development of the City.

In response to the legislative mandate, the City of Dunedin in 1978 and 1979 adopted "Dunedin 2000-The Comprehensive Plan", composed of four sections: The Policy Plan, Support Systems Elements, Land Based Elements, and Resource Based Elements, (the "Plan").

As required by the Local Government Comprehensive Planning Act of 1975, all zoning changes must conform with the Local Plan or if contrary to that Plan, an amendment to the Plan must be applied for and approved by the City Commission. Because the Plan, for consistency's sake must correspond with local zoning, and vice versa, reliance on such continued amendments is necessary to meet changing conditions.

These changes reflect decisions on the part of the individual landowners and local government to alter the Land Use Plan according to changed needs in the community. After all, the Land Based Element of the Plan expressly states that the Plan "is never final in the strictest sense....as unforeseen development occurs, or as local policies change, the Plan must be flexible." It is a guide to be used to direct growth, and through changes in the Plan, future land use can be directed.

DEVELOPMENT CONTROLS:

The following zoning and land use mechanisms are available to Dunedin to regulate development of property and to implement the recommendations of this report through additions or amendments to its existing zoning code and/or comprehensive plan.

a. Site Plan Review.

An excellent method for controlling development is site plan review. §§27-10-4 and 27-10-5 of Dunedin's Zoning Regulations already provide a mechanism for such review but only §27-10-5 requires specific, binding final site plan approval, and this is only required in a few zoning classifications (e.g., PR-1, Planned Residential Development, and SC, Shopping Center). Final site plan

review would be an excellent tool for monitoring and regulating all waterfront development to encourage careful, appropriate development of the coastline. However, guidelines must be set forth with sufficient specificity that they are not left to the whim or caprice of administrative officials. The City of Dunedin should give careful consideration to the possibility of making site plan review a condition of all zoning categories in the waterfront areas.

b. Height Controls and Setback Restrictions.

As is evident from the area by area analysis of zoning earlier in this report, the height restrictions along Dunedin's shoreline are a crazy-quilt of limits varying from 35 feet for single-and multi-family zoning areas to 80 feet for planned tourist facility. Although the higher limits are generally accompanied with a one-foot additional ground level setback for each two feet of height above 30 feet, the prospect of a wall of 50- to 80-foot high buildings lining Dunedin's lovely waterfront is ominous. One only need drive past the Edgewater Arms to get the full effect of what such a wall of development would do to views and access to the water.

Side yard setback requirements are not significantly better for purposes of allowing views of the water where property abuts the coastline. In the huge R-60 neighborhoods in Area C, only 7.5 feet side yards are required, allowing a minimum of 15 feet between structures. TF and MF-15 areas require only 10 feet of side yard. Thus, even if structures are low, if closely spaced, scenic vistas may be obscured.

Dunedin's zoning regulations should be carefully reviewed with an eye toward decreasing allowable heights and increasing required side yards on waterfront property to allow for increased visual access to the waterfront.

c. Waterfront Zoning Designations.

One solution to obsolete or restrictive zoning codes is to rezone waterfronts as unique areas suitable for a variety of creative and compatible uses. There are basically three approaches to creating waterfront zones:

1. Designate a special waterfront planning area and recognize it as such in the city master plan.

2. Adopt an "overlay" waterfront zone as part of the existing zoning ordinance.

3. Develop criteria and performance standards that pertain to waterfront characteristics.

Of these three possibilities, the third is probably the most feasible for the City of Dunedin. The criteria and performance standards should include site plan review and height and setback restrictions, as noted above.

However a less conventional method for regulating growth along the waterfront would be enactment of an overlay or floating zone. An overlay zone is established by a zoning ordinance, but it is not fixed to any particular property on the zoning map at the time of its enactment. In a sense, an overlay zone "floats" over the area until it is applied to particular property after approval of a rezoning application.

The floating zone technique adds flexibility to land use controls. Unlike the traditional zoning district with fixed boundaries, the floating zone may be applied to geographical areas across zoning districts.

A waterfront overlay zone may include various regulatory provisions, such as site plan review, height requirements, and set-back restrictions. At present, Dunedin's Code Section 27-9-2 contains set-back requirements for any property directly on the Gulf of Mexico. All structures on such property must be set back at least 200 feet from the mean high water mark. Additional restrictions regarding set-backs and height could be incorporated into the overlay zone.

As noted earlier in this report, Dunedin's City Ordinances also presently contain provisions for site plan review for planned residential developments. Section 27-10-4 requires the filing of a preliminary site plan with an application for rezoning in this type of district. After abutting property owners are notified, government agencies conduct a preliminary review, and the city manager forwards the recommendations to the city commission prior to the public hearing. The city commission may approve, disapprove, or

approve with conditions the preliminary site plan at the first reading. Section 27-10-5 requires the submission of the final site plan with any amendments at least a week before the second reading. Written notice must again be given to abutting property owners. At the second reading, the city commission may give its final approval. The site plan then becomes an integral part of the zoning change. The waterfront overlay zone may incorporate this type of site plan review as a way to regulate development along the waterfront.

The implementation of a waterfront overlay zone may evoke considerable public response. The property owners directly affected by the new ordinance may challenge the validity of the ordinance. Therefore, it is important that the ordinance be carefully drafted and enacted. To be valid, the overlay zoning ordinance must bear a substantial relation to the public health, safety, morals, or general welfare. It must also establish proper standards, guidelines and qualifications so that it will not be held invalid due to vagueness, ambiguity or discriminatory application.

The implementation of waterfront overlay zoning will be a two-step process. The first step will be an amendment to the City of Dunedin Zoning Code to provide for the overlay district. The second step will be the actual rezoning of the waterfront property.

In amending the Code, the planning and zoning board will review the proposed amendment and make recommendations to the city council within sixty days after receiving the proposed amendment. The city council will then review the recommendation and, after public notice and a hearing, make its decision.

When a governing body of a municipality initiates the rezoning of private property, the Florida Statutes specify different procedures depending on the size of the property to be rezoned. If the proposed rezoning involves less than 5 percent of the total area of the municipality, each property owner affected by the proposed rezoning must be notified at least thirty days before the public hearing on the rezoning. After the hearing, the city commission may make its decision.

If the rezoning will affect more than five percent of the total area of the municipality, the local governing body must hold two advertised public hearings on the rezoning. The required advertisements must appear in a local paper of general circulation. The form and size of the advertisements are set out in Fla. Stat. §166.401(3)(c)(2). In lieu of publishing the notice, the municipality may notify each person whose property would be affected by the rezoning.

This waterfront overlay district could also be used as a tool to acquire land along the waterfront in Area D. As a condition of allowing any new development along the waterfront, the city could require the developer to dedicate land for public use. This requirement could be incorporated under site plan review, as explained above.

The City of Dunedin Zoning Ordinances Sec. 27-16-1 contains provisions for requiring developers, as a condition of approval of a final plat of a subdivision or of a final site plan of a planned residential development, to "dedicate land for neighborhood and community park and recreational purposes to serve the immediate and future needs of the residents of the development, or cash contribution in lieu of actual land dedication, or a combination of both, at the option of the city," in accordance with the standards and formulae set forth in the regulation.

This requirement could be expanded, or a separate provision could be added to the Zoning Ordinances, to require specific dedication of open space in connection with all waterfront development. Florida courts have indicated that they will uphold the validity of required dedication ordinances if they are drafted narrowly and are within the governing body's authority.

If the City of Dunedin is unable to acquire open space along the waterfront through required dedications and site plan review, (either because it chooses not to use that method or because owners of existing development do not request any zoning changes requiring site plan review) then the City could use its powers of condemnation and eminent domain instead. However, as stated previously, the power of eminent domain is subject to constitutional limitations. No person may be deprived of his property without due process of law, and no private property may be taken except

for a public purpose, with full compensation paid to the owner.

d. Required Dedication of Park Lands.

The City of Dunedin Zoning Ordinances Sec. 27-16-1 contains provisions for requiring developers, as a condition of approval of a final plat of a subdivision or of a final site plan of a planned residential development, to "dedicate land for neighborhood and community park and recreational purposes to serve the immediate and future needs of the residents of the development, or cash contribution in lieu of actual land dedication, or a combination of both, at the option of the city," in accordance with the standards and formulae set forth in the regulation.

This requirement could be expanded, or a separate provision could be added to the Zoning Ordinances, to require specific dedication of open space in connection with all waterfront development.

e. Bike Routes and Pedestrian Paths.

One of the recommendations for Areas A and D involves utilization of parkland areas for bike paths, jogging, and other passive, pedestrian recreational purposes.

The Traffic Circulation Element of the Dunedin Comprehensive Plan sets forth designated "Dunedin Bikeways" (see Appendix for map). This plan should be reviewed and amended in connection with the acquisition of additional park lands and corresponding designation of additional bike paths and creation of pedestrian paths near the waterfront.

Section 21-4 of the City of Dunedin Code sets forth criteria for sidewalks and empowers the planning and zoning board to, where necessary, require a pedestrian easement "across a block to connect public rights-of-way for pedestrian or bicycle traffic for convenient access to schools, parks, commercial areas, transportation and other community facilities."

This provision enables the connection of a comprehensive bike route and pedestrian path system, as

well as provision of sidewalks and bicycle paths where needed for the safety and welfare of the public.

f. Moratoria.

Local governments may enact "stop-gap" ordinances which place a temporary moratorium on building and developing for a reasonable period of time while making a thorough study of community conditions for the enactment or amending of comprehensive zoning ordinances.

These moratorium ordinances, however, are subject to careful review as to whether they are necessary as applied to each individual parcel affected, and as to whether the zoning authority had the properly delegated authority to enact them, just as any zoning ordinances are. Furthermore, these moratorium ordinances must generally be passed through the same procedures as all other zoning ordinances, in compliance with notice and hearing requirements.

The basis of such an ordinance is the same as for any other zoning ordinance, i.e. to protect the health, safety, welfare and morals of the community.

A development moratorium is an extreme and generally unpopular measure which should probably be considered only in situations which approach crisis proportions.

g. Bulkhead, Seawall, and Dock Requirements.

Section 27-9-6 and Section 6-151 of the Dunedin Code of Ordinances provide stringent limits and requirements in connection with construction directly on the waterfront, including bulkheads, seawalls, retaining walls, locks, wharfs, piers, floating docks, boat slips, boat houses and moorings: These provisions expressly require compliance with state, local, and regional laws and regulations. Such stringent controls for construction directly on the waterfront are absolutely necessary to any waterfront development regulatory program.

FUNDING MUNICIPAL PROJECTS

There is a variety of sources of financial assistance and methods of funding municipal improvements. The most comprehensive municipal project recommended in this study is, of course, the downtown "super block" redevelopment in Area B. This section primarily addresses possible funding for that project, however, other suggested municipal improvements, such as acquisition of park lands, rights-of-way, etc. may also benefit from some of the financing techniques described below.

Any redevelopment project requires a comprehensive funding arrangement which takes into account both the extent and scheduling of proposed improvements. Public support and reliability of funding are essential. Public support is necessary in the form of the City's assurance that it is committed to reduce private risk by extensive participation in the initial projects. Reliability of funding is essential in the initial phases of development to assure that, although federal or state grants may be approved, there is available guaranteed supplemental or replacement financing.

For downtown development to occur, the City must make commitments, especially in the initial phases. But, while initial risk and public cost are involved, Dunedin should be rewarded by a substantial return on its investment in the form of a healthy downtown economy. Such an economy can be expected to substantially increase local revenues and business activity, allowing Downtown Dunedin to again financially support other portions of the community.

FUNDING SOURCES:

Local. The City of Dunedin has a variety of funding sources available to it, including the granting of development rights, the lease of public property, and, perhaps, revenue supported bond sales or loans.

(1) Development Rights - While not actually a source of dollars, the granting of development rights can just as effectively build physical improvements. A revision of the zoning code to require site plan review in the downtown area would make development of such area subject to

"negotiation" of specific project characteristics such as density, height, landscaping, etc. Giving a developer additional units or square footage, in return for public improvements, can fund a portion of downtown redevelopment costs.

(2) Lease Revenues - The City of Dunedin owns property within the downtown and marina redevelopment areas. This is very fortunate in that the land assemblage process is greatly simplified, and initial costs greatly reduced. The city can further benefit from its ownership position through the use of long-term leases to fund needed public improvements. For example, to facilitate rerouting of streets or the "super block" concept, cost of this project could be retired, in whole or in part, by annual lease payments received from the developers of the commercial projects. In this way the city maintains ownership of the property, pays for public improvements, and allows the developer reduced capital costs for land (lease rather than purchase), thereby making the project more attractive to the developer.

(3) Industrial Development Revenue Bonds - In 1980, the Florida Legislature passed legislation to allow the issuance of Industrial Development Revenue Bonds for "urban parking facilities" and "commercial projects" in slum or blighted areas (such areas are discussed under tax increment financing). This reduced interest bond program (60% to 70% of prime) can be used by private developers to build facilities which are then leased, the proceeds of which retire the bond debt. The reduced financing costs makes a feasible project more attractive, and can often make an impossible project feasible. In either case, this is an important financing tool to attract development into Downtown Dunedin.

(4) Tax Increment Financing - Tax Increment Financing (TIF) is a revenue backed bond issued by a local Community Redevelopment Agency (CRA) (see Section on Encouragement of Downtown Redevelopment) for public improvements. Tax Increment Bonds are backed by ad valorem tax revenues generated by new development.

For example, if a new development is proposed on private land currently assessed at a value of \$100,000. That assessment, times, for example, a total city/county millage rate of 11.4 mills, yields total ad valorem

revenues (taxes) of approximately \$1,138. After the new development takes place, if the assessed value rises to \$225,000, taxes now rise to approximately \$2,560 annually, or \$1,422 more than previously paid. That difference, \$1,422, is the tax increment generated by new development.

The tax increment for all of the designated redevelopment area goes into a Community Redevelopment Trust Fund to retire Tax Increment Bonds sold to finance public improvements. New development, and therefore new taxes, would not have taken place without public improvements, so, those new taxes should go to finance the needed improvements that might not otherwise be affordable.

In order to use this method of financing, the City of Dunedin would first appoint a Community Redevelopment Agency (which can be the Commission itself), and determine that a specific area (in this case downtown) is a "slum" or "blighted" area in need of rehabilitation. A plan for redevelopment would be adopted for each project area, and the negotiation/financing/development process begun.

Of course, tax increment-funded projects should first have a definite commitment from the private developer to ensure that revenues will be available to assist in meeting funding needs. Also, tax increment funds cannot be expected to generate sufficient money alone to support the early development projects. As development continues, tax increment funds will climb substantially, and become perhaps the sole source of public redevelopment funds. But, in the initial, high cost phases of redevelopment, other sources of public funds (leases, loans, grants) must provide the greatest proportion of public development costs.

(5) Assessments - As another local source of funding, front footage or square footage assessments can be levied against those properties directly benefiting from public improvements, pursuant to Section 1.93(a) of the Charter of the City of Dunedin.

(6) Special Districts - The City Commission may, according to Section 1.03(b), of the Charter of the City of Dunedin, by ordinance, create special municipal service districts for the purpose of accomplishing municipal services and improvements and shall have the authority

within said districts to make special assessments to pay for the furnishing of said municipal services or improvements, or may within the authority of the laws of the State of Florida levy ad valorem taxes to pay for said municipal services or improvements.

Federal Sources.

(1) Urban Development Action Grant (UDAG) - It should be determined whether the City of Dunedin is qualified in the small cities category as a potential recipient of a federal UDAG grant. The UDAG program is designed to assist communities with economic problems by providing funds to stimulate private investment. Such funds are available for physical improvements directly, or as financing for such improvements. The requirements are:

(a) Private Commitment -- Only projects that involve private investment are eligible. A ratio of six private dollars to each federal dollar is a guide here. Thus, the larger the private investment, the larger the potential UDAG grant.

(b) Interdependent Set of Actions -- The project should involve only those actions or improvements which are related to one another.

UDAG funding is valuable because it can be available during the initial, high-cost improvement period. This money can generate development which will, in turn, provide additional sources of revenue (leases, taxes, other development).

(2) Community Development Block Grant (CDBG) - The CDBG program may be available to the City of Dunedin to rehabilitate residential portions of the community. Utilizing these funds for economic development -- creating jobs -- is another eligible activity.

Perhaps in the downtown development area, CDBG funds could be used to supplement a UDAG grant, a bond or a loan to build road or parking improvements.

This method of funding, as with all those methods described above, must not be viewed as a "single source" for any given project. Rather, it will be some combination

of methods and programs that will successfully fund downtown revitalization.

The funding recommendations in this report should not be viewed as the only appropriate means of financing improvements, since circumstances and funding sources may change.

LEGAL COSTS

The estimation of legal costs in connection with the implementation of the various recommendations in this report is an inherently speculative process. However, the following considerations are those which must be considered by the City of Dunedin in connection with such implementation:

1. The allocation of work between city staff and private attorneys and consultants.
2. The fees of private attorneys.
3. The value of the time of city staff, the city attorney, the city commission, etc.
4. The cost of advertising those procedures which require publication of notice, such as rezonings or annexations.
5. The cost of printing and mailing notices of procedures which require individual notice, such as rezonings or annexations.
6. The cost of direct purchase of real property and condemnation of real property.
7. Attorney fees and court costs in connection with procedures requiring judicial action, such as condemnation proceedings.
8. The cost of holding a public referendum as required for any annexation.
9. The cost of enforcing additional regulations, such as those recommended for the Causeway.
10. The cost of holding public hearings required in connection with rezonings, annexations, ordinance amendments, etc.
11. The time spent by city staff and/or private consultants on drafting ordinances, resolutions, and other legal documents in connection with rezonings, historic

districts, Causeway regulations, street vacations, land use amendments, etc.

12. The extent of any rezonings, annexations, street vacations, etc. desired by the City.

13. The time spent by staff or private consultants in applying for, structuring, and administering government grants and other funding arrangements.

14. Costs in connection with the formation of administrative bodies such as a community redevelopment agency, historic preservation board, etc.

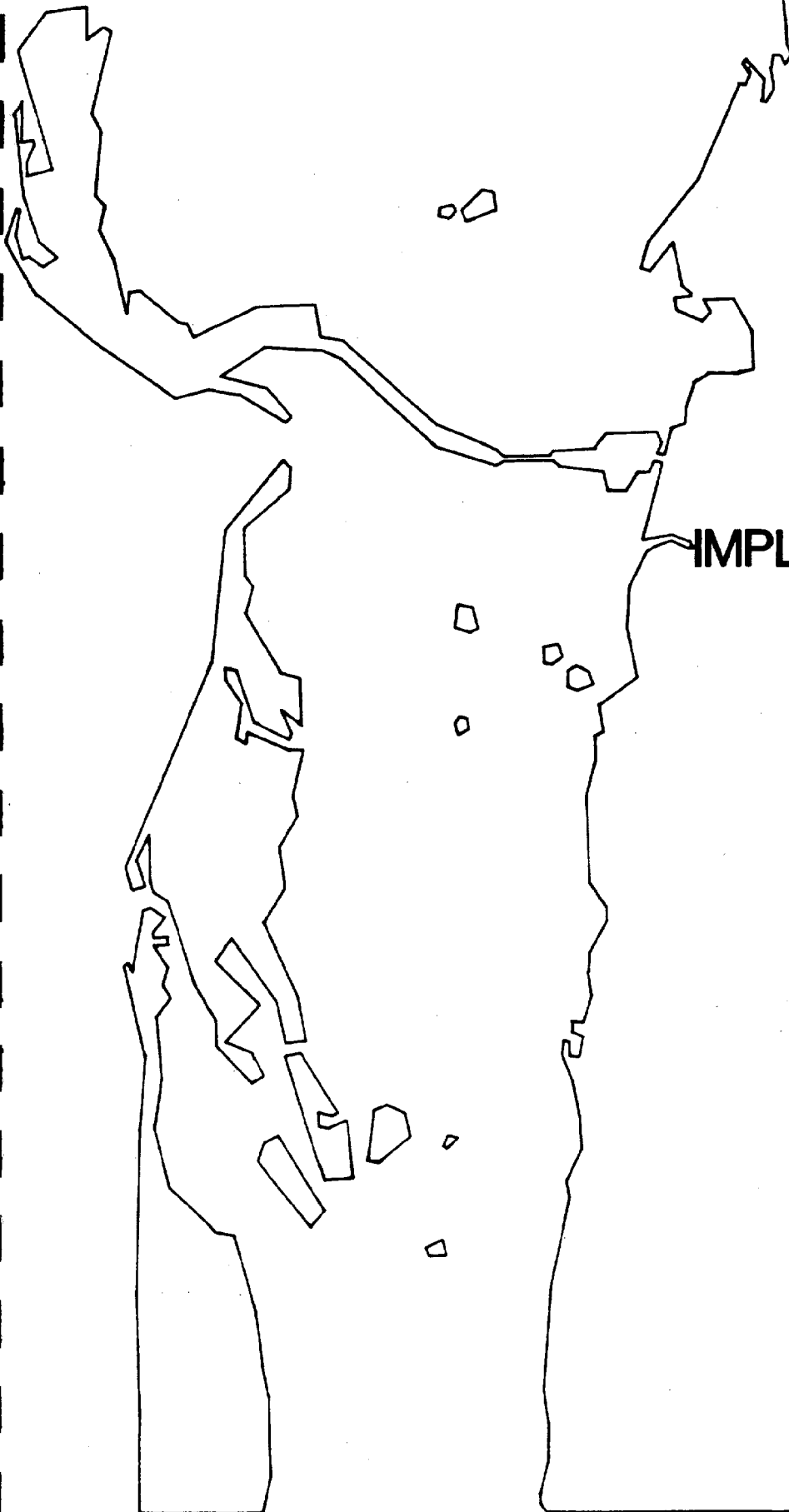
15. The cost of direct municipal funding of capital improvements to parks, the downtown area, the marina, etc.

16. Any legal fees and court costs in connection with defending judicial challenges to any actions taken by the City.

JEH5a

**WATERFRONT
UTILIZATION
PROGRAM**

**IMPLEMENTATION
SCHEDULE**



TIME SCHEDULE FOR IMPLEMENTATION OF OBJECTIVES

To achieve the overall goals and objectives envisioned in this study, no one single action will cause the future utilization of the waterfront. This utilization program may take ten years or more, however, to cause an immediate improvement, a short-range program is recommended over the next three years. These actions will initiate the process and set the stage for mid-range (4 - 8 years) and long-range (beyond 8 years) policies that will impact and direct the future Dunedin growth.

SHORT RANGE OBJECTIVES 1 - 3 YEARS (Listed in a prioritized manner)

1. AREA B

- City must "package and market" the superblock concept possibly via the Request For Proposal process
- Continue and encourage the development of a Downtown Plan and design guidelines including setbacks and height controls
- Begin the examination of Victoria Drive as a special designated district

2. AREA E

- Design and implement the Causeway Improvement Program, including landscaping, traffic control, and signage

3. AREA A

- Stabilize shoreline as per Corps of Engineers recommendations
- Begin detailed planning study for park design

4. AREA D

- Monitor development permitting limited expansion of commercial activity to the north
- Develop city policies regarding public access to the waterfront
- Examine possibility of annexing land to the north
- Monitor open space development

5. AREA C

- Monitor growth as to prevent commercial expansion into residential and loss of open space

In addition, the City needs to implement a site plan review process for all proposed development within 500 feet of the waterfront to ensure future waterfront development quality.

MID-RANGE OBJECTIVES 4 - 8 YEARS

1. AREA A

- Implement park program for Edgewater Drive
- Reroute through commercial traffic from Edgewater Drive to Douglas Avenue
- Monitor development in accordance with recommended land use changes

2. AREA B

- Implement superblock for downtown
- If superblock cannot be implemented continue with:
 - Marina improvements and expansion
 - Road improvements and realignments
 - Encourage larger developments with street closures as an incentive
 - Construct downtown parking structure
 - Examine potential for new City Hall
 - Enforce design guidelines
- Monitor status of Hoods Plant and encourage reuse into corporate office park
- Continue to monitor Victoria Drive and encourage its historic redevelopment

3. AREA D

- Continue implementation of public access to waterfront
- Monitor commercial growth north along U.S. Alternate 19
- Possible annexation of unincorporated county

4. AREA C

- Maintain open space/parks
- Monitor development via site plan review

LONG RANGE OBJECTIVES BEYOND 8 YEARS

1. AREA A

- Monitor development and land use changes; possibly Trinity College

2. AREA B

- Monitor development of downtown, Hoods Plant, hospital, commercial expansion
- Re-examine Downtown Plan for update

3. AREA C

- Monitor area for development issues that may want to change the land uses of the area

4. AREA D

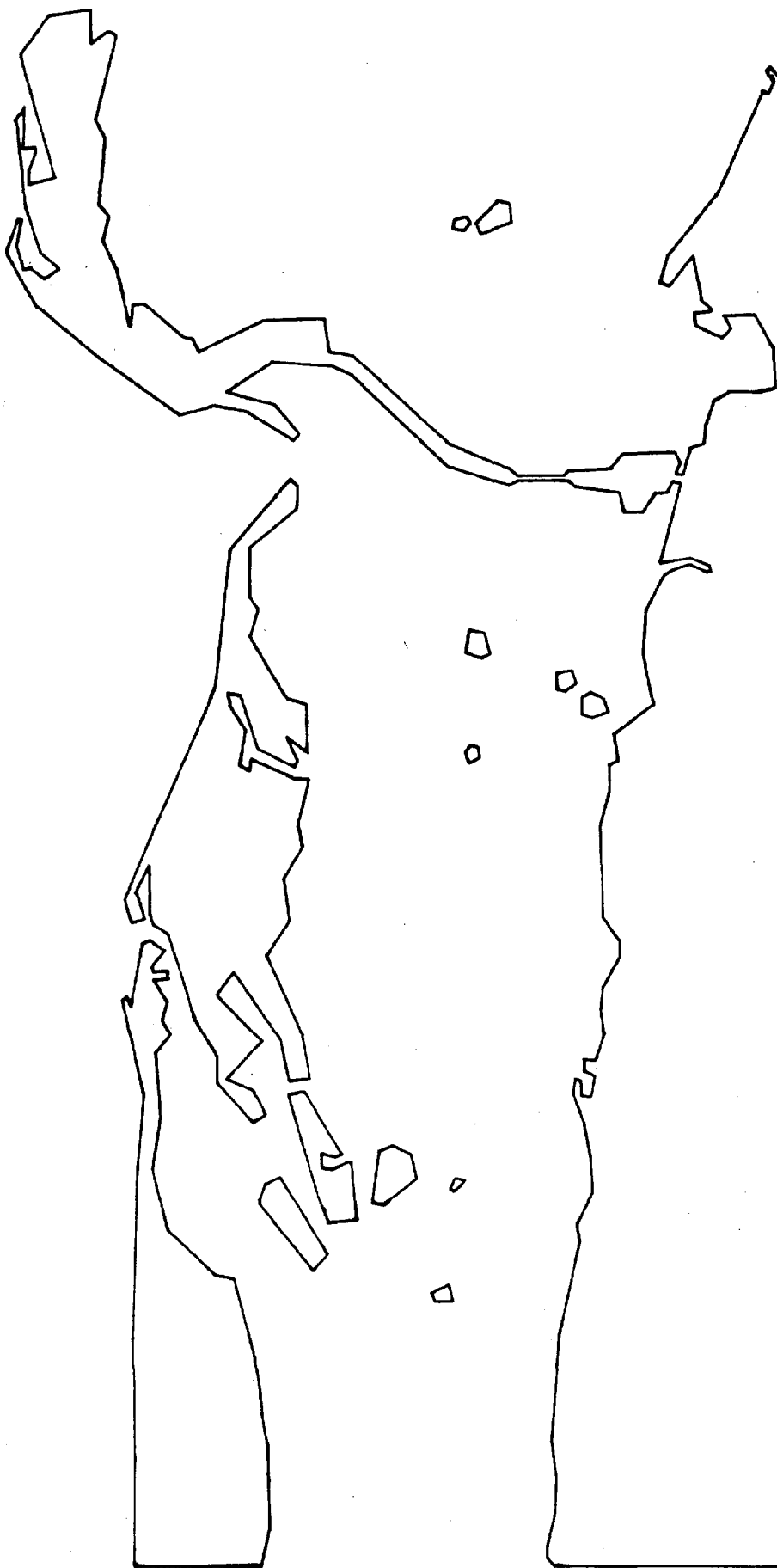
- Coordinate commercial/residential growth to assure appropriate open space and waterfront access
- Area may require specific study

5. AREA E

- Maintain park as in short range
- Traffic situation may need re-examination

WATERFRONT
UTILIZATION
PROGRAM

APPENDIX



A P P E N D I X

1. Sample Street Vacating Ordinance
2. List and Maps of Historic Sites
3. Causeway Commentary
4. Causeway Traffic Study
5. Memorandum re Causeway Management
6. Sections 17-51 through 17-77,
City of Dunedin Code
7. Dunedin Bikeways Map

sidewalk, and no such poles shall hereafter be placed or erected, or, after such notice, maintained in the streets, except the same be placed in the sidewalks as hereinbefore required. (Code 1926, § 1060; Code 1953, § 26-66)

Secs. 34-16—34-25. Reserved.

ARTICLE II. VACATING STREETS AND ALLEYS*

Sec. 34-26. Presentation of petition to comply with article.

Every petition addressed to the city council, requesting that any public street, road, alleyway, place or highway dedicated or acquired for travel, or any part or portion thereof, be vacated, closed, discontinued or abandoned, and requesting the city to renounce, disclaim or release any right of the city and the public in and to any land delineated, dedicated or shown on any recorded map or plat as a street, road, alleyway, place or highway within the corporate limits of the city shall be presented to the city council in the form, and following the procedures, set forth in this article. The petitioner shall use the petition form available from the office of the city clerk when applying for a vacating. (Code 1953, § 34-15.1(a); Ord. No. 1720-A, § 1, 6-15-54; Ord. No. 7788-A, § 1, 10-1-81)

Sec. 34-27. Petition to be typed, sworn; address of petitioner to be shown.

Petitions filed pursuant to this article shall be typewritten and shall be sworn to by the petitioner or petitioners and shall include the post office address of the petitioner or petitioners. (Code 1953, § 34-15.1(b); Ord. No. 1720-A, § 1, 6-15-54)

Sec. 34-28. Contents of petition.

Petitions filed under this article shall give an accurate legal description of the public street, road, alleyway, place or high-

*Editor's note—Ordinances vacating particular streets are filed for record and recorded in the office of the Clerk of the Circuit Court, _____ County, Florida.

way or any part or portion thereof petitioned to be vacated, closed, discontinued and abandoned, including the street address, if any, and the names of all owners, mortgage holders, lienors and lessees of lands abutting on any such public street, road, alleyway, place or highway or any part or portion thereof petitioned to be vacated, closed, discontinued and abandoned. In the event that the vacating, closing, discontinuing and abandoning of a part or portion of an alleyway desired by petitioner or petitioners to be vacated, closed, discontinued and abandoned, would result in the creation of a dead-end alleyway, then the petitioner or petitioners are required to petition to vacate, close, discontinue and abandon the entire alleyway or such part or portion thereof of said alleyway as will preclude the creation of a dead-end alleyway.

The petition shall list the property owners' names, addresses and the property legal description, as reflected in the latest ad valorem tax records, of all property touching or abutting on the public street, road, alley, alleyway, place or highway, or other right of way, or any part or portion thereof requested to be vacated, closed, discontinued and abandoned.

The petition shall state the reason why the petitioner or petitioners desire the closing of the street, road, alleyway, place or highway or any part or portion thereof.

The petition shall contain a recital as follows: The petitioner or petitioners herein named hereby waive, renounce, relinquish, absolve and discharge the city from any claim for damages of any nature and kind whatsoever that such petitioner or petitioners may have or claim or demand, now or in the future, by reason of the vacating, closing, discontinuing and abandoning of the public street, road, alleyway, place or highway or any part or portion thereof.

The petition shall have attached thereto a drawing or blueprint of the subdivision in which the public street, road, alleyway, place or highway, or any part or portion thereof, to be vacated, closed, discontinued and abandoned is located, or, if located in an unplatted area of the streets, highways, roads, alleys, and public places in the immediate area surrounding

the public street, road, alleyway, place or highway or any part or portion thereof to be vacated, closed, discontinued and abandoned. (Code 1953, § 34-15, (c) (d) (e) (g); Ord. No. 1720-A, § 1, 6-15-54; Ord. No. 4835, § 1, 2-17-70; Ord. No. 5405-A, § 1, 6-29-72; Ord. No. 6663-A, § 1, 5-31-77; Ord. No. 6860-A, § 1, 2-16-78)

Sec. 34-29. Payment of costs, expenses.

The petitioner(s) requesting that any public street, road, alleyway, place or highway, or any part or portion thereof, be vacated, closed, discontinued and abandoned, shall pay all costs and expenses to be incurred by the city, as follows:

- (a) For the handling and processing of the petition, including the publishing of notice of the public hearing;
- (b) For the posting of signs, as required by section 34-32;
- (c) For the publishing of the vacating ordinance, if the petition be granted;
- (d) For the recording of a certified copy of the ordinance in the office of the Clerk of the City Court of _____ County, Florida;

a cost charge payment in the amount of two hundred dollars (\$200.00) to defray these costs and expenses shall be made by the petitioner(s) to the city clerk before the petition is filed with the city clerk. A receipt showing the payment to the city of this cost charge shall be attached to the petition. No portion of this cost charge shall be refunded to the petitioner(s). Should an error in the original petition require the filing of an amended petition and readvertisement of notice of the public hearing, an additional cost charge payment in the amount of fifty dollars (\$50.00) to defray additional costs and expenses shall be made by the petitioner(s) to the city clerk, before the filing of the amended petition with the city clerk. A receipt showing the payment to the city of this additional cost charge shall be attached to the amended petition. No portion of this additional cost charge shall be refunded to the petitioner(s). (Code 1953, § 34-15(j); Ord. No. 1720-A, § 1, 6-15-54; Ord. No. 4401-A, 3-26-68; Ord. No. 4604-A, § 1, 2-11-69; Ord. No. 5993-A, § 1, 8-6-74; Ord. No. 7788-A, § 2, 10-1-81)

Sec. 34-30. Filing of petition; number of copies required.

Four (4) copies of the petition required by this article shall be filed with the city clerk. (Code 1953, § 34-15(f); Ord. No. 1720-A, § 1, 6-15-54; Ord. No. 4401-A, § 1, 3-26-68)

Sec. 34-31. Procedure on receipt of petition.

Immediately upon receipt of a petition under this article, a copy shall be referred to the director, department of housing, inspections and community services, and to the legal department. The director, department of housing, inspections and community services, is required to make a report to the city council of its study and recommendations within twenty (20) days after receiving the petition. (Code 1953, § 34-15(h); Ord. No. 1720-A, § 1, 6-15-54; Ord. No. 7788-A, § 3, 10-1-81)

Sec. 34-32. Fixing date for public hearing; posting of signs.

(a) When the report of the director, department of housing, inspections and community services, has been received by the city council, or at any time prior thereto, at the discretion of the city council, a date for a public hearing on the petition shall be fixed and notice shall be published in the manner provided for by law. The department of housing, inspections and community services shall immediately place a sign, which may be cardboard, metal or other similar material, and of a minimum size of eighteen (18) inches by twenty-four (24) inches, at or near either end of the public street, road, alleyway, place or highway or any part or portion thereof, which is to be vacated, closed, discontinued and abandoned. Upon the sign shall appear a notice of the proposed vacating, including the date and place set for the public hearing.

(b) In addition to such published notice, the petitioner, at his expense, shall immediately upon the adoption of the resolution fixing the date for a public hearing, and not less than fifteen (15) days prior to the date set for the public hearing, send a copy of the published notice to the owner or owners of every parcel of land abutting on the public street, road, alleyway, place or highway or any part or portion thereof petitioned to be vacated, closed, discontinued and abandoned. The copy of the published

notice shall be mailed to such owner or owners at their usual post office address, by registered mail, with return receipt requested. When the return receipts are delivered to the petitioner, the petitioner shall prepare an affidavit indicating the abutting parcels of land, the names of the owner or owners of such land, and the date and post office address to which each copy of the published notice was mailed. The petitioner shall attach to the affidavit, the return receipts of the notices which were mailed. The affidavit and return receipts shall be filed with the city council not less than seven (7) days prior to the date of the public hearing. Should an error or omission occur in the sending of these notices, which requires readvertisement of the notice of public hearing, the petitioner shall pay an additional charge of fifty dollars (\$50.00) to the city clerk to cover the costs and expenses as a result of the error or omission. This payment shall be made at the time the petitioner submits a written request, addressed to the city council and filed with the city clerk, requesting a new date for a public hearing, and setting out the reasons for the request.

(c) When all or a majority of the alley rights-of-way, within a platted subdivision or within an area of four (4) or more contiguous blocks, are included in a single petition, then the posting of signs, as referred to in subsection (a) above, shall not be required, for those alleys within that subdivision, or for those alleys within the four (4) or more contiguous blocks referred to above. (Code 1953, § 34-15(i); Ord. No. 4896-A, § 1, 5-19-70; Ord. No. 5405-A, § 2, 6-29-72; Ord. No. 6663-A, § 1, 5-31-77; Ord. No. 7788-A, § 4, 10-1-81)

Sec. 34-33. Application of article to city council proceedings.

Nothing contained in this article shall be deemed or construed as applying to any proceedings instituted by the city council in their own discretion and on their own motion relating to the vacating, closing, discontinuing and abandoning of any public street, road, alleyway, place or highway, or any part or portion thereof. (Code 1953, § 34-15.1; Ord. No. 1720-A, § 1, 6-15-54; Ord. No. 4401-A, §§ 1, 3, 3-26-68; Ord. No. 4604-A, § 1, 2-11-69; Ord. No. 7788-A, § 5, 10-1-81)

HISTORIC SITES

<u>SITES</u>	<u>SOURCE*</u>
1. Leland Home, 231 Monroe Street	CZM, STATE, DCD
2. Site of Jones 1st Home	DCD
2-A. Site of Jones 2nd Home, N.E. corner Victoria	DCD
3. Site of Arcadia House, S.W. corner Broadway and Victoria	DCD
4. S.F. Bouton Home, 300 Monroe Street	DCD
5. Site of Dunedin Ice Company, 326 Monroe Street, (rear of present Sun Bank)	DCD
6. Site of "Bank of Dunedin," 301 Main Street	DCD
7. Dixie Theater, 359 Main Street	DCD
8. R.R. Station Museum, Main Street	CZM, STATE, DCD
9. Site of Library Hall	DCD
10. G.E. Louck's Property, N.W. corner of Edgewater and Scotland	DCD
11. J.O. Douglas/Kauffman Home, 209 Scotland Street	CZM, STATE, DCD
12. Episcopal Church of Good Shepherd, Corner of Edgewater and Albert	DCD
13. Octagon House, 247 Scotland Street	DCD
14. Site of Beckett Boarding House, S.E. corner of Broadway and Scotland	DCD
15. Burns' House	DCD
16. Zimmerman House, 362 Scotland Street	DCD
17. Gilchrist Store (2nd location), East of R.R. across Main Street	DCD
18. Manget House, 429 Scotland Street	DCD
19. W.Y. Douglas Cottage, 641 Douglas Avenue	DCD
20. Fenway Hotel/Trinity College, 453 Edgewater Drive	CZM, DCD
21. Blatchley House, S.W. corner Bayshore Ave. & Lee Street	STATE
22. J. Martson Home	DCD
23. N.S. and C.B. Bouton	DCD
24. J.S. and E.T. Malone Home, 951 Victoria Drive	DCD
25. L.H. Malone Home	DCD
26. H.P. and C.O. Malone Home	DCD
27. Dr. Boudeau Residence	DCD
28. Tharin/Mease Home, (adjacent to site of Elementary School)	CZM, DCD
29. Site of L.B. Skinner Machinery Shop	DCD
30. Site of Whitehurst Hotel, West of R.R. Station Museum	DCD
31. Site of Anderson Cotton Gin	DCD
32. Site of Elementary School	DCD
33. Site of Dr. Jason L. Edgar Pharmacy	DCD
34. Site of Louck's Store	DCD
35. Site of Dunedin House	DCD
36. Site of Pooser's Store (2nd location)	DCD
37. Site of Barnes' Property	DCD
38. Original Site of Andrew's Memorial Chapel Presently located North end of San Mateo and entrance to Highlander Park	FEDERAL REGISTER CZM, STATE, DCD

*DCD - Dunedin Community Design Plan,

Dunedin Planning Department, January, 1979

CZM - Coastal Zone Management,

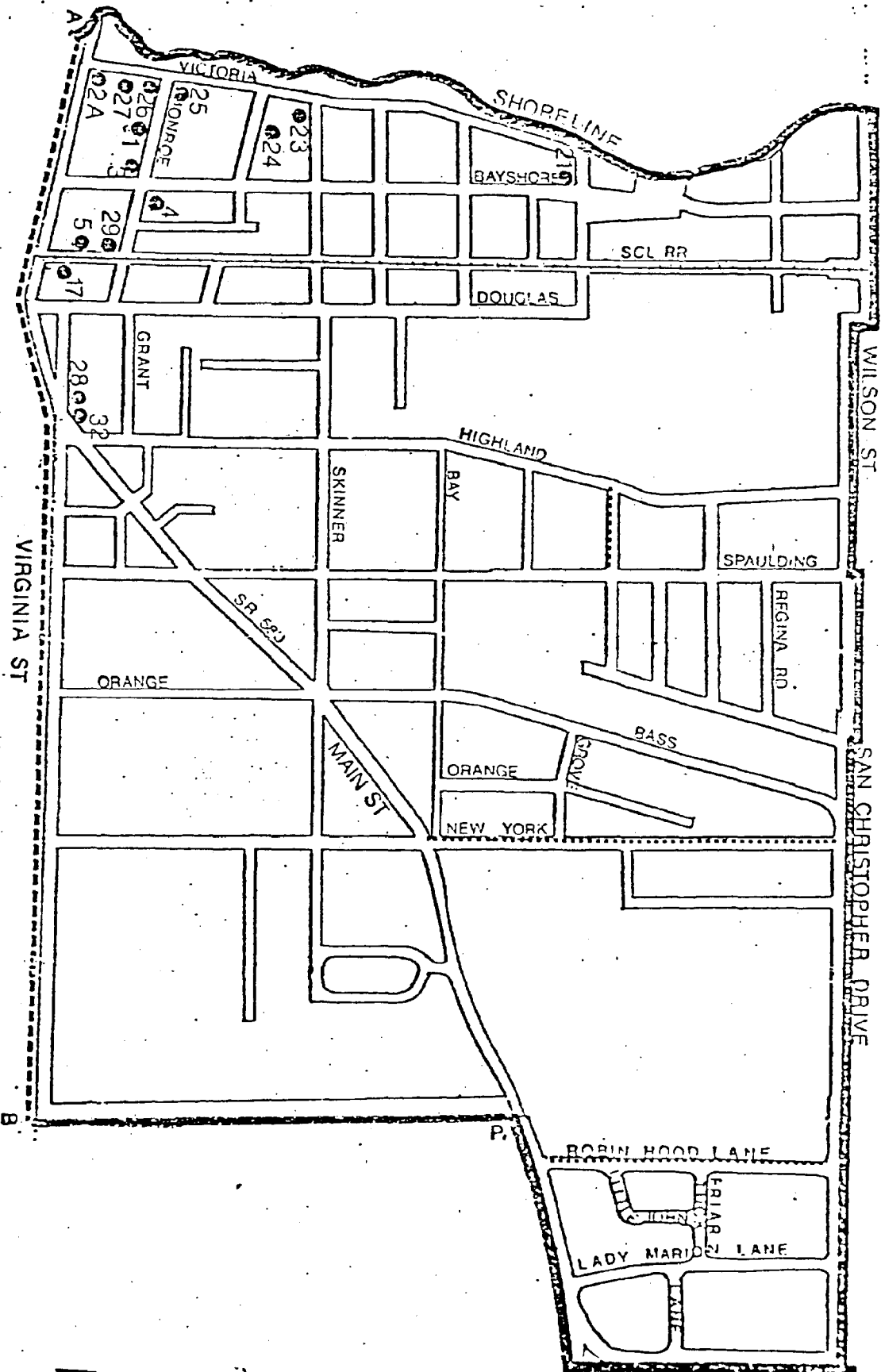
Pinellas County Planning Department, 1976

STATE - State List of Historic Places

FEDERAL REGISTER - F.R. of Historic Places, U.S. Dept. of the Interior

HISTORICAL SITES DUNEDIN NSA

SOURCES: FEDERAL REGISTER
FLA. STATE LIST
PCPD
DPD DUNEDIN COMMUNITY DESIGN PLAN
JUNE, 1970



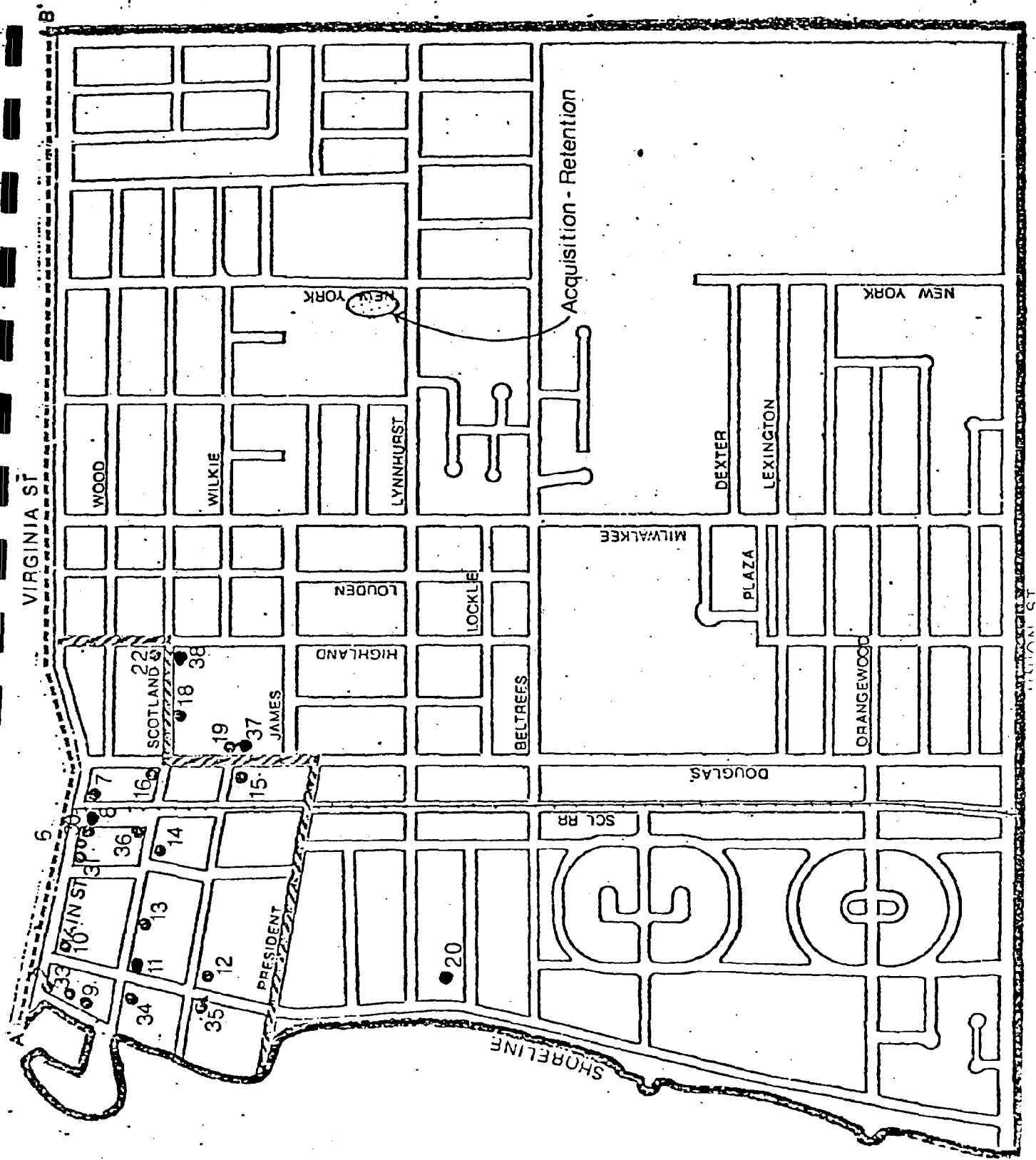
NOTE: POINTS A AND B CORRESPOND
TO POINTS A' AND B' ON
FOLLOWING MAP

LEGEND

Sidewalk



80



Creative postures

Barbara Rubenstein appears thoroughly engrossed in her artwork finally seems pleased with her progress. The special class, taught by Monday during 'Clay Day.' She grimaces at the beginning of her Carla Crook, featured creative work with clay for children in project (left), leans back to gain some perspective (center) and kindergarten through fifth grade.

Petitioners want vendors off Dunedin Causeway

By KATHY SUTTON
Sun staff writer

DUNEDIN—A group has petitioned the city to kick vendors off Dunedin Causeway.

City commissioners, meeting the petitioners part-way, discussed during a work session Monday enacting an ordinance that would restrict commercial activities along the causeway.

The discussion resulted from a petition commissioners received from 18 Metropolitan Clearwater residents—none of them from Dunedin—protesting hot dog stands, flea markets and sailboat rentals along the causeway.

But the commission also heard from a local businessman who defended the causeway vendors.

Commissioners decided to enact an ordinance that will allow only vendors who receive a franchise from the city to operate on the causeway. Vendors will have to bid to get the franchises, commissioners said, noting they will advertise the date bidding will take place. No other specifics were discussed.

"The appearance of the commercial ventures is unsightly and creates a safety hazard to persons seeking entrance and egress to the water's edge," the petition states. "Moreover, the overcrowding because of these commercial enterprises limits the general public's use of the causeway."

John Lawrence, director of Planning and Community Services, told commissioners that mobile vendors endanger the safety of pedestrians and motorists on the causeway. And, he added, he expects the problem to increase when Honeymoon Island State Park opens later this year.

City officials also said the causeway vendors cause litter, with taxpayers paying city employees to pick up the garbage.

But the vendors also had a defender. Helen Walker, manager of the Causeway Motel, asked commissioners not to do away with vending on the causeway altogether.

"Many of our guests enjoy the causeway just the way it is," she said. "They like the vendors. I think if the causeway was wiped clean, it may look pristine, but it would take services away from the tourists."

Commissioners pointed out that commercial activity on the causeway is illegal under current ordinances because of the causeway's zoning as marine park property. But City Attorney John Hubbard said the law is unenforceable.

Hubbard said police can warn vendors about the law and ask them to leave the causeway. But as soon as police leave, he said, vendors return quickly.

Commissioners said they will discuss the issue again at their Feb. 3 meeting.

Also at Monday's meeting, commissioners said they will vote Feb. 3 to provide a crossing guard for the intersection of Patricia Avenue and Union Street near Dunedin Middle School. Hiring a crossing guard and improving a crosswalk at the intersection would cost \$3,800.

"I think we'll have to spend the money," said Commissioner Vivien Grant. "There's no way around it."

"I think that we can probably find the money in the budget," said Mayor Mary Bonner.

Members of the school's Parent Teacher Association, concerned about pupils' safety as they cross the intersection, also asked commissioners to post "No Turn on Red" signs. City officials have reported six collisions involving children at the intersection since 1977.

In other action Monday, commissioners heard city staff give a report on saving the shoreline along Edgewater Drive.

City Planner Rosemarie Fallon told commissioners the city's share of the cost on a project to stabilize the coast would be \$121,300. State and federal grants would pay the rest of the estimated \$400,000 cost.

But, she noted, that figure does not include expenses for acquiring necessary permits or for buying private property along the shore. Ms. Fallon said the project is scheduled for fiscal 1983-84, which starts Oct. 1.

Commissioner David Ramsey stressed that acquisition of 13 parcels of land should not be delayed.

"Until we get those parcels purchased," he said, "we can't start construction."

Commissioner Manuel Kousourias noted the acquisition process could go on for "years and years" if landowners hold out against selling.

Clearwater Sun

Jefferson 301 S. Myrtle Ave.
Pilot Clearwater Fla.
Publications 33516

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Wed. Jan. 26

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Clearwater Sun 1/25/83

474-25 Lakeview Drive
Palm Harbor, Fl. 33563
Jan. 27, 1983

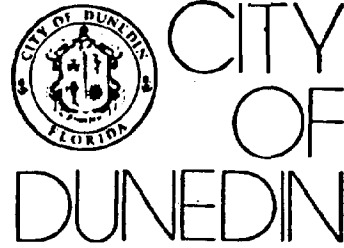
Dear Sirs;

I would like to state my support for the proposed new law banning commercial activity on the Dunedin Causeway. We are a couple in our fifties, and have used the causeway to launch our catamaran for the past few years. Launching on a weekend means getting there before 10a.m. in order to find a decent space to park and launch. Although we no longer own a Hobie, we have seen a lovely, natural causeway take on a "Coney Island" atmosphere, hardly a fitting approach to our new Honeymoon Island State Park. Last year there was even a vendor selling T shirts and clothes from a van, which he displayed on a clothes line. Others such as Boomer windsurfers have taken a large portion of the only useable beach for the renting of his boards, making a nice profit with no taxes or overhead to pay (nice business). Food vendors are springing up even though most people there bring their own.

This area should be kept for the use of local taxpayers, fishermen, boaters etc., not for the profit greed of a few individuals. You banned these all night beach parties, lets put some teeth in the law and keep commercial interests out!

Yours truly,

José Cortés



January 20, 2983

Mr. Francis Hopkins
8 Glencoe Place, Unit 306
Dunedin, Florida 33528

Dear Mr. Hopkins:

I would like to advise you that at their Work Session on January 24, at 7:00 P.M., the Dunedin City Commission will be discussing a proposed ordinance which would ban commercial activities along Dunedin Causeway.

This proposed ordinance was drafted in part because of many complaints received from residents of Royal Stewart Arms concerning these commercial activities. Additionally, City staff believes that these activities represent a traffic hazard along the Causeway, as well as contributing to some of the trash and debris which accumulates along the Causeway. Finally, staff believes that the proliferation of these commercial activities, especially in light of the opening of Honeymoon Island State Park, substantially detract from the visual amenities of the Causeway.

If you or other residents of Royal Stewart Arms Condominiums have any comments regarding this proposed ordinance, you may wish to make these comments known at the Commission meeting on January 24.

Sincerely,

John Lawrence, Director
Planning & Development Services

JL/md

(813) 733-4151
P.O. BOX 750
DUNEDIN, FLORIDA
33528

MEMORANDUM

TO: City Commission

FROM: Parwez Alam, City Manager

DATE: March 31, 1983

SUBJECT: Proposed Dunedin Beach Causeway Ordinance

RECOMMENDATION: Adoption of a proposed ordinance prohibiting all types of commercial activities on the Dunedin Beach Causeway.

PAST ACTION: This proposed ordinance passed unanimously at the first reading on March 3, 1983

ATTACHMENTS: Ordinance prohibiting commercial activities except for those performed under a Franchise granted by the City.

BACKGROUND: During the past several years, and particularly during the past year, there has been a substantial increase in the number of commercial vendors doing business on the Dunedin Beach Causeway. The Department of Public Safety has determined that both pedestrian and vehicular safety are endangered by these commercial activities due to inadequate and dangerous access to these activities from the roadway, and the lack of established parking along the Causeway. It is felt that this dangerous situation will become progressively severe with the increased traffic associated with the opening of Honeymoon Island State Park. The pick up of trash and litter, in part generated by these commercial activities along the Dunedin Beach Causeway, has become an increasing financial and administrative burden to the City. Additionally, the Dunedin Beach Causeway is a natural, scenic entryway to the Honeymoon Island State Park, and such commercial activities have a detrimental effect on this natural, scenic entryway. The proposed ordinance would prohibit all commercial activities along the Causeway except for those performed under a franchise granted by the City, and would clearly help in eliminating the several problems outlined above.

Commission Disposition: _____

Follow Up Action: _____

Action Taken: _____

Affected Parties: _____

Notified By: _____

☐ Not Required

Response Code: _____

COSTS: _____

Funding Source: _____

Account No. _____

☐ Capital Imp Budge☐ Operating Budget☐ Other _____

Originating Department: _____

Proposed Dunedin Beach Causeway Ordinance
March 31, 1983
Page 2

It is recommended that this ordinance be passed on second reading concurrent with the awarding of a Causeway Concession Franchise.

PA/md

Exhibit A

All lands owned by the City of Dunedin, Florida, Pinellas County, Florida, and the State of Florida or any agency thereof in Sections 5, 6, 7, 8, and 9 and the North half of Sections 15, 16 and 17, all situated in Township 28, Range 15 East, Pinellas County, Florida, (otherwise known as Dunedin Beach Causeway);

Less and except:

That certain parcel of upland on Honeymoon Island known as the "Royal Stewart Arms Apartments."

Also less and except:

That portion of lands deeded to the State of Florida for park purposes (as described as follows) lying west of the entrance gate to said park:

All that part of Township 28 South, Range 15 East, Pinellas County, Florida, being referred to as Honeymoon Island comprising part of the uplands thereof and together with the adjacent and surrounding submerged lands, including "Little Honeymoon Island" and "Grassey Key" all lying with the following described boundary, to wit:

Commence at a monument marking the northwest corner of Fractional Section 8, Township 28 South, Range 15 East, said monument set by the Pinellas County Engineering Department, thence run S. $23^{\circ} 00' 34''$ E., 8,532.10 feet to the Point of Beginning of the hereinafter described boundary; thence run N. $20^{\circ} 58' 34''$ W., 2,805.02 feet; thence run N. $48^{\circ} 19' 30''$ W., 8,254.85 feet; thence by a curve to the right, with a radius of 5,050.00 feet, arc of 19,166.73 feet, chord of N. $60^{\circ} 24' 18''$ E., 9,565.12 feet; thence run S. $10^{\circ} 51' 54''$ E., 13,009.45 feet; thence run S. $89^{\circ} 06' 57''$ W., 3,598.54 feet to the Point of Beginning; and

All of the upland of "Little Honeymoon Island" lying north-westerly of Honeymoon Island, in Section 31, Township 27 South, Range 15 East and Section 6, Township 28 South, Range 15 East, which is situated outside of the above described boundary line.

ORDINANCE NO 82-

AN ORDINANCE PROHIBITING ALL TYPES OF COMMERCIAL ACTIVITIES ON THE DUNEDIN BEACH CAUSEWAY WITHIN ALL RIGHTS-OF-WAY AND PUBLICLY OWNED PROPERTY EXCEPT FOR THOSE ACTIVITIES PERFORMED UNDER A FRANCHISE GRANTED BY THE CITY; PROVIDING FOR PENALTIES; AND PROVIDING FOR THE EFFECTIVE DATE HEREOF.

WHEREAS, the public safety is jeopardized by the number of commercial vendors located on the Dunedin Beach Causeway and in particular those commercial vendors in very close proximity to the paved roadway; and,

WHEREAS, there are numerous difficulties in policing the operation these commercial vendors; and,

WHEREAS, the Department of Public Safety has determined that both pedestrian and vehicular safety are endangered by these commercial activities due to inadequate and dangerous access to these activities from the roadway, and

WHEREAS, this dangerous situation will become progressively severe with the increased traffic associated with the opening of Honeymoon Island State Park, and

WHEREAS, the Dunedin Beach Causeway is a natural, scenic entrance way to the Honeymoon Island State Park, and such commercial activities have a detrimental effect on this natural, scenic entrance way; and,

WHEREAS, the pick up of trash and litter, in part generated by these commercial activities, along the Dunedin Beach Causeway has become an increasing financial and administrative burden to the City; now, therefore,

BE IT ORDAINED BY THE CITY COMMISSION OF THE
CITY OF DUNEDIN, FLORIDA, IN SESSION DULY AND REGULARLY
ASSEMBLED:

Section 1. All commercial activities on any public lands
belonging to the City of Dunedin, Pinellas County or the State of Florida
or any agency thereof within the geographical area known as the Dunedin
Beach Causeway, as is otherwise defined in Exhibit A attached hereto
and incorporated herein by reference, is prohibited, except for any commercial
activities performed under a franchise granted by the City of Dunedin.
Such commercial activities shall include, but not be limited to, retail
and wholesale sale of food, beverages, beach apparel, or any other products,
as well as any vending operations or rental of any products or equipment.

Section 2. Any person convicted of violating any of the
provisions of this ordinance shall be punished in accordance with provis-
ions set forth in Section 1-8 of the Code of Ordinances of the City of
Dunedin.

Section 3. This ordinance shall become effective immediately
upon its final passage and adoption.

PASSED AND ADOPTED BY THE CITY COMMISSION OF
THE CITY OF DUNEDIN, FLORIDA, THIS _____ DAY OF _____,
1982.

Mayor-Commissioner

ATTEST:

OFFICE OF
THE CITY ATTORNEY
City of Dunedin
750 Milwaukee Avenue
Dunedin, Florida 33528

City Clerk

PASSED ON FIRST READING:

PASSED ON SECOND READING:

Controls considered on causeway fun

6/5/83

By KATHY SUTTON
Sun staff writer

DUNEDIN—Concern for safety and environmental protection on Dunedin Causeway has city planners thinking about regulating activity on the popular strip.

A city-generated management plan might address separating areas used by boaters and fishermen from swimmers and sunbathers and restricting parking, according to John Lawrence, head of the Planning and Community Services Department.

The spectrum of unorganized activities poses potential safety problems, he said, and traffic on the right of way could accelerate erosion and further damage the environment, he said.

The problem is expected to be compounded when Honeymoon Island State Park opens early next year, increasing traffic along the east-west route. Lawrence expressed concern that park-goers will overflow onto the causeway when the park reaches its daily capacity.

"I can just visualize it," he said. "It would look like a parking lot."

Currently, motorists can park anywhere along the causeway.

"It's the Wild West out there," he said. "There's certainly some appeal to that, but there's a safety factor, also."

Lawrence noted that several residents have voiced concern about the mix of activities on the

causeway.

Norman, 2616 St. Joseph Drive W., wrote to City Manager Parwez Alam last month asking for "stringent control of the entire Causeway Boulevard area."

In his letter, Norman complained of large dogs allowed to run free and of persons who park near an apartment complex he owns.

A poll of several persons on the causeway Saturday produced mixed opinions on the issue.

"I think that's a grand idea," said Peggy McFadden of Tampa. She noted she often has a hard time finding a place to sunbathe because of the number of sailboats launched from the causeway.

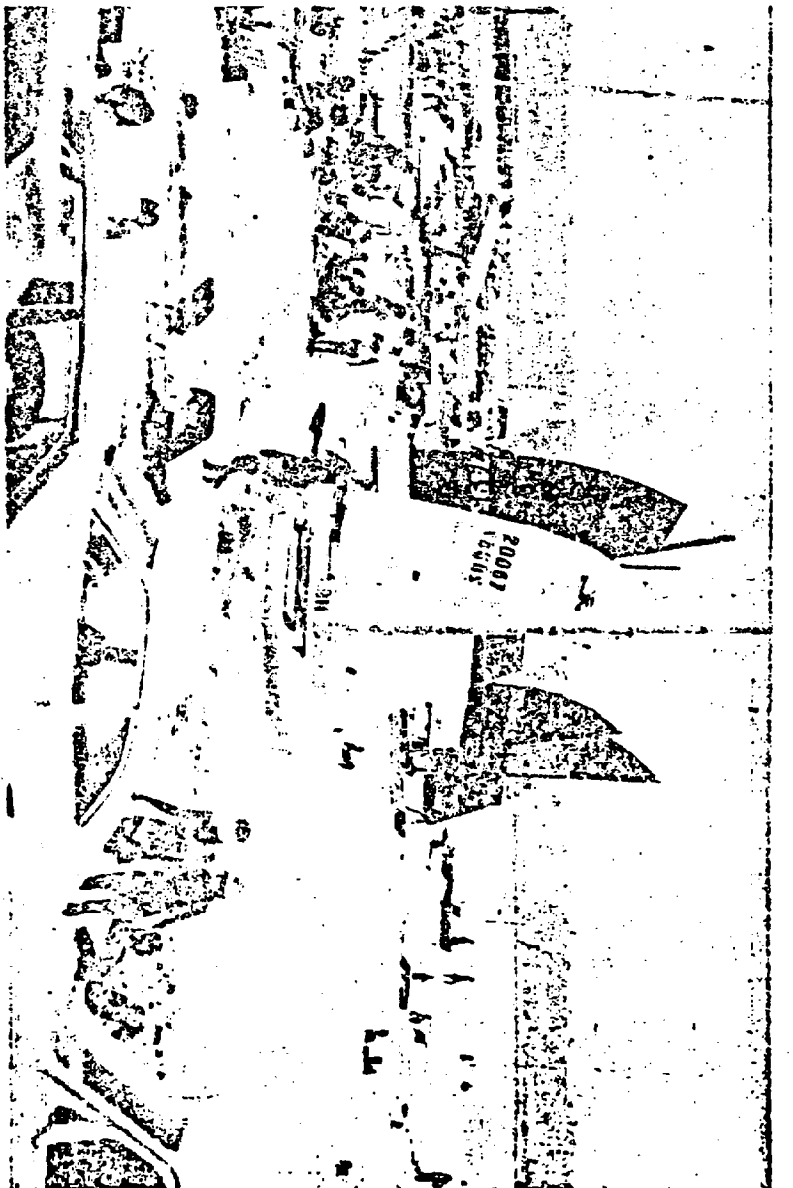
"I wish there was a section just for sailboats," she said.

Although they reported no difficulties with boaters or sunbathers, weekend fishermen Ed Silva, 21, and Keith Umetsu, 19, both of Tampa, favor the management proposal.

"They should close off a place for people who want to swim," Silva said. "I'd have to hook a person."

But Bill Schaefer, 28, and his sailing partner, Alex Love, 27, also of Tampa, said things run smoothly by themselves.

Planning officials last week began advertising for proposals from outside consultants. Dunedin would use part of a



See staff photo by DAVID SOULS

A frenzy of activity along Dunedin Causeway has prompted safety concerns and talk of regulation.

\$16,000 Coastal Zone Management Grant it received last July to fund the study of any causeway plan but would have to find other funds to implement it, according to

Lawrence. Dunedin also is in the process of applying for a \$250,000 state grant to build several boat ramps, a parking lot and bathroom facilities.

Lies on the southwest section of already have taken some measures to regulate causeway activities. After reports of hazardous conditions, Lawrence noted commissioners

Merchants tie bridge-closing to city bid to bolster Pier 60

... earned a bachelor of science degree in accounting. He is the son of David S. Swan Jr.

Janice Elizabeth Gatewood of Clearwater joined 267 seniors who were awarded degrees May 15 from Mars Hill College, Mars Hill, N.C.

Ms. Gatewood, 1691 Oak Park Drive East, earned a bachelor's degree in music education for voice. She is the daughter of Elizabeth and the Rev. John S. Gatewood.

Dunedin band to play free

DUNEDIN—The award-winning City of Dunedin Pipe Band will perform in a free concert today in celebration of its 20th reunion.

Band members and alumni will perform at 2:30 p.m. at the Dunedin Community Center, 1141 Michigan Ave.

The band was organized in May 1963 and incorporated in 1964.

Recently, the band was upgraded one level by the U.S. Pipe Band Association. Because of its exceptional performance during the past year, the band's rating was changed from level three to level two.

* Fun

(from page 1B)
ditions created by a large number of commercial vendors using the roadway, commissioners passed an ordinance in April allowing only franchised vendors on the causeway. Sip & Dip, which sells bait and refreshments, holds the only franchise granted by commissioners.

Last year, commissioners passed a law prohibiting alcohol on the causeway after dark and prohibiting open fires.

"Obviously we don't want to over-control it," Lawrence said, "but there's also life and safety and aesthetics to consider."

"We may be overwhelmed by opposition. People may say this is the last place you can just go to."

CHINESE ACUPUNCTURE CLINIC

FREE

First Visit Thru June

Palm Harbor 784-0020

Clearwater 535-5652

Port Richey 863-8728

New Port Richey 878-7535

2016 U.S. Hwy 19 N.
Lakewood Square Ctr.
Palm Harbor

11/10/83 12:15
Chen Wei

11/24/83 1:18
Chen Wei

11/24/83 1:18
Chen Wei

with

SUNLESS

duquette
Cannel
Ham

CITY OF DUNEDIN
TRAFFIC CONTROL DIVISION

TRAFFIC STUDY

DUNEDIN CAUSEWAY BOULEVARD
AND
ROYAL STEWART PARKWAY

Investigation
For
Signalization
And
Traffic Safety

James A. Rains
Division Director of Maintenance

Albert B. Cliff
Traffic Control Supv.

August 1, 1983

Background

At the direction of the City of Dunedin Commission, prompted by a request received from the Board of Directors of Royal Stewart Arms, Inc., a traffic engineering study was conducted. This study pertained to the possible need for traffic signalization at the intersection of Dunedin Causeway Blvd. and Royal Stewart Parkway (the entrance to Royal Stewart Arms).

During the past year the State of Florida has been engaged in extensive improvements to the area now known as Honeymoon Island State Park. These improvements have had a definite affect on traffic volume and traffic patterns on the Dunedin Causeway. As additional improvements are completed in the years ahead, traffic volumes will increase.

Current conditions at the western end of Dunedin Causeway involve the roadway itself being closed from sunset until sunrise daily and blocked by a heavy wood fence. This presents a very unusual condition for westbound traffic which must be slowed for this condition to avoid accidents. Although the present gate will be removed in about six to nine months, the road closing will still exist and only be moved about 500 ft. west of the present location to a newly constructed park entrance site.

The Dunedin Traffic Control Division had been working very closely with State Park personnel regarding traffic safety at this critical western end of Dunedin Causeway. Extra speed limit signs have been installed, warning signs erected, reflective delineators placed on the park gates and other signs placed to warn or inform the motorist of prevailing conditions.

The Board of Directors of Royal Stewart Arms, Inc. have requested the installation of traffic signals at Royal Stewart Parkway for reasons of safety for their residents in entering onto Causeway Blvd. (Figure 1)

Regency

Realty Management Division, Inc.

May 4, 1973

Parewz Alam
City Manager
P.O. Box 750
34296-0750
Dunedin, Florida 33528

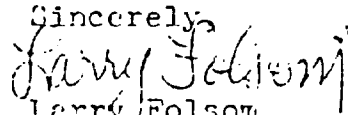
Dear Mr. Alam:

I have been asked by Royal Stewart Arms, Inc. Board of Directors to write to you and request that a traffic light be placed on Causeway Boulevard at the entrance to Royal Stewart Arms. We have spoken with the Pinellas County Engineers Department and they indicated the matter of traffic lights is handled by the City of Dunedin and we should make our request thru your office.

We are making this request for several reasons, the first being the number of near accidents that have occurred because of the blind area traveling west on the causeway. This is due to the height of the bridge just before Royal Stewart Arms compared to the elevation of Royal Stewart Arms east entrance. Even though reduced speed signs have been placed in this area traffic still travels fast over this bridge and with the activity at this area of the causeway drivers are easily distracted from their driving.

In addition, with the development of Honeymoon Island State Park the amount of traffic to the park appears to have increased considerably and is expected to continue to increase in the summer months. At certain time of the day, and especially on weekends it is an extreme challenge to enter Causeway Boulevard from Royal Stewart Arms.

If additional information is needed or personal discussion is desired please feel free to contact me at 733-3151. I thank you for your consideration of this matter.

Sincerely,

Larry Folsom
Property Manager
RSA, Inc.

LF/mem

Accident Record

Review of Accidents Records were confined to 1983 only in order to concentrate on those conditions which currently exist with the roadway modifications and speed limit change caused by the introduction of Honeymoon Island State Park.

During 1983, four accidents occurred on this section of Causeway Blvd. (from the bridge west to the gate entrance to the park). These accidents are as follows:

1. 4/1/83, Report #3-04240

Location:	Causeway Blvd. and Royal Stewart Parkway
Type:	Rear end
Injuries:	None
Property Damage:	\$500
Cause:	Careless Driving
Description:	Westbound vehicle slowed to turn north onto Royal Stewart Parkway. Following vehicle was <u>going too fast</u> and struck turning vehicle in rear.

2. 4/16/83, Report #3-05009

Location:	Causeway Blvd. at entrance to Honeymoon Island State Park.
Type:	Vehicle vs Wood Gate
Injuries:	None
Property Damage:	\$800
Cause:	Failure to use due care, special hazards (F.S. 316.185). (30 MPH in 15 MPH zone).
Description:	Eastbound vehicle leaving park crosses into westbound lane to avoid pedestrian and hits park gate.

3. 5/17/83, Report #3-06564

Location:	Causeway Blvd. at entrance to Honeymoon Island State Park
Type:	Vehicle vs. Wood Gate
Injuries:	Two (2), non-incapacitating
Property Damage:	\$3725
Causes:	-D.W.I. -U.B.A.L. - <u>Speed too fast for conditions</u>
Description:	Eastbound vehicle at a high rate of speed leaving park, passes in No Passing Zone, goes off road, skids sideways into wood fence at gate

4. 7/17/83, Report #3-09421

Location:	Causeway Blvd. at entrance to Honeymoon Island State Park.
Type:	Vehicle vs Wood Gate
Injuries:	None
Property Damage:	\$700
Causes:	-Reckless Driving (<u>50 MPH in 15 MPH zone</u>) -D.W.I -U.B.A.L.
Description:	Westbound speeding vehicle hits closed park entrance gate at 9:42 PM.

Note that none of the above accidents are of a type correctable by the installation of a traffic signal. Also, vehicle speed would be a salient correction factor in preventing the accidents or possibly reducing the severity of them. Excessive speed was a factor in all four accidents.

DWI/UBAL type violations are prevalent on this area of roadway due to the recreational type atmosphere of the beach and water. Driver distraction is also very high due to boating, bathing, fishing and other activities taking the driver's attention from the roadway. Fog, mist, salt residue on windshields, etc. are other safety hazards associated with this area and not normally found at this level at other locations.

Spot Speed Study

Spot speed studies were conducted on Causeway Blvd. as follows:

1. Wednesday, 7/6/83, 1:40 - 2:45 PM, westbound traffic, in front of Royal Stewart Arms west of Royal Stewart Parkway.
2. Tuesday, 7/7/83, 10:15 - 11:20 AM, westbound traffic, in front of Royal Stewart Arms west of Royal Stewart Parkway.
3. Thursday, 7/21/83, 2:30 - 4:30 PM, westbound traffic, 220' east of west bridge.
4. Tuesday, 7/26/83, 10:00 - 11:45 AM, eastbound traffic, 100' east of State Park gate.

The results of each study are indicated on the following forms.
(Figures: 2, 3, 4, and 5)

It is readily apparent that vehicles are moving at too great a speed as they enter the approach to Honeymoon Island State Park. As traffic volume increases this excessive vehicle speed will be a contributing factor to accidents in this area.

There are three specific hazards related to excessive speeding on this section of roadway.

1. Vehicles entering Causeway Blvd. from Royal Stewart Arms.
2. A heavy gate and fence bordering the State Park which runs north and south approximately 1250 feet from the bridge. (The gate being closed after dark).
3. A fence line of 12" x 12" wood posts lining the south side of Causeway Blvd. which restricts maneuvers of vehicles if trying to avoid a collision at high speed.

At the present time, westbound vehicle speed is about 10 MPH higher than eastbound. This is due to the fact that eastbound traffic is within a 15 MPH zone within the park itself. It also has to execute a north to east curve exiting the park which slows it down somewhat as it leaves. It is also preparing for a 35 MPH speed zone as it goes over the bridge.

Overall reduction in speed will tend to minimize the severity of roadway hazards and accidents in this area.

Conclusions and Recommendations

1. The existing 15 MPH speed limit should be aggressively enforced on that section of Causeway Blvd. from the west bridge to the State Park entrance.
2. A traffic signal is not recommend for the intersection of Royal Stewart Parkway and Causeway Blvd.
3. Warrants for the installation of a traffic signal on this section of Causeway Blvd., as established by the Manual On Uniform Traffic Control Devices, have not been satisfied at this time as a result of this study.
4. Future changes in the roadway and/or park entrance with foreseeable traffic volume increase may at some future time warrant signalization. It would then be advisable to utilize only the west driveway entrance to Royal Stewart Arms for that purpose. In so doing, it would only be appropriate, for reasons of safety, to permanently close Royal Stewart Parkway. The current west entrance, however, has remained closed by Royal Stewart Arms management during the course of this study. Discussion with their security guards indicates that they must do this to avoid unwanted entrance by strangers into their facility. The closure of the west drive has also been a wise safety move due to its close proximity to the present park gate entrance.
5. The Honeymoon Island State Park, as a high volume traffic generator, will create traffic congestion and inconvenience for residents all along Causeway Blvd. This condition, however, will occur basically only during daylight hours, in clear weather, on weekends or holidays, and during specific hours. Residents will unconsciously adapt to coping with this condition by adjusting their travel times accordingly where possible. Similar conditions face residents who locate near high schools (football games, bus congestion, etc.), shopping centers (store hours), stadiums (athletic events) etc.
6. Planned roadway improvement to the new park entrance, which will be completed in the next six to twelve months, will create a more orderly traffic flow in the area and relieve much of the congestion now experienced in front of Royal Stewart Arms.
7. Several dangerous traffic violations were noted on Causeway Blvd. in front of Royal Stewart Arms during the course of this study. These involved crossing the double yellow center lines and passing a row of slow moving cars by going in the opposing traffic lane. Again, the passing vehicles were obviously speeding and strict law enforcement in this area would tend to minimize such violations.

MEMORANDUM

TO: Parwez Alam, City Manager

FROM: John Lawrence, Director of Planning & Community Services

DATE: May 23, 1983

SUBJECT: Proposed Causeway Management Plan

In response to your request regarding the possibility of separating boat launching and swimming on the Dunedin Causeway, you should be aware that the Planning Division over the past several months has been discussing the need for an overall Causeway Management Plan. This need stems from several factors.

As you are aware, the City Commission has passed an ordinance prohibiting all commercial activities on the Causeway, and in conjunction with this ordinance has awarded a commercial franchise on the City-owned property on the Causeway. The primary purpose for this action was to eliminate the several unsafe conditions associated with the various vendors who had been doing business on the Causeway.

The Planning Division believes that this is only the initial step in developing a more comprehensive management plan for the entire Causeway. The conflict between the swimming activities and the boat launching activities is indicative of many of the problems (and potential problems) which we feel will be developing on the Causeway. After Honeymoon Island is officially opened, it is anticipated that much of the spill-over from the state park will be absorbed by the Causeway. This will further exacerbate many of the current problems on the Causeway, such as a comingling of pedestrian traffic, sunbathers, fishermen, boaters, and vehicular traffic. We feel that this unorganized activity leads to several safety problems. It is my understanding that a primary impetus for Clearwater to prohibit any activity on its Memorial Causeway was the death of a sunbather.

In anticipation of these various problems, the Planning Division believes that there is a strong need for an overall Causeway Management Plan. The Planning Division is currently advertising for consultant proposals in conjunction with the City's Coastal Zone Management Grant. Waterfront access and utilization on the Causeway will be a key element of this project, and could be the first step in developing an overall Causeway plan.

Proposed Causeway Management Plan
May 23, 1983
Page 2

I will keep you closely informed of the progress of this project.



John Lawrence

JL/md

cc: Rosemarie C. Fallon, Division Director of Planning

ARTICLE III. DUNEDIN BEACH**Sec. 17-51. Designated.**

For the purpose of this chapter, Dunedin Beach is defined as all of that certain island commonly known as Honeymoon Island or Dunedin Beach, less and except the real property east of the temporary sewerage disposal plant owned by the City of Dunedin and located on Dunedin Beach and north of Causeway Blvd., plus all portions of the Dunedin Causeway between the Bascule span bridge on the east of the causeway and the fixed span bridge on the west of the causeway. (Code 1962, § 16-41)

Sec. 17-52. Swimming while intoxicated.

It shall be unlawful for anyone to swim or bathe in the Gulf of Mexico or St. Joseph Sound within the corporate limits of the City of Dunedin while under the influence of intoxicating beverages. (Code 1962, § 16-42)

Sec. 17-53. Operating boat parallel to shore of swimming area.

It shall be unlawful for any person to operate a boat parallel to the shore line of any designated swimming area on Dunedin Beach within two hundred (200) yards of said shore line. (Code 1962, § 16-43)

Sec. 17-54. Prohibited acts.

Each and every of the following acts, if done or permitted within the city are hereby declared to be a public nuisance injurious to the public peace, order, health, morals, comfort and general welfare of the citizens of the community, but said enumerations shall not be deemed to be exclusive:

- (1) *Depositing garbage and refuse on private or public property.* To throw, place, deposit or cause to be thrown, placed, deposited or accumulated, any decayed fish, meat or fowl or animal matter of whatsoever nature or kind, fruit peelings, offal, wastepaper, shavings,

trash, garbage, dirt, filth, cans, boxes, bottles, tubs, buckets, rubber, rags, cloth or other refuse of whatsoever nature or kind upon the land of another within the city without the written consent of the owner thereof or upon any street, alley, sidewalk, beach, pool or surf, except when securely enclosed in authorized containers or receptacles in accordance with other ordinances and sanitary regulations in force within said city.

- (2) *Obstructions; license or permission required.* To place, park, leave, erect, construct, maintain, expose or display for sale, or washing or cleaning any post, pole, goods, wares, furniture, boxes, receptacles, fruits, vegetables, merchandise, building material, fuel, slippery substances or other obstruction of whatsoever nature or kind within, on or upon any street, alley, sidewalk, footway, park, beach, pool or surf, without first obtaining express license or written permission thereof from the city manager or chief of police, or their deputies. (Code 1962, § 16-44)

Cross reference—Offenses generally, Ch. 16.

Sec. 17-55. Dressing or undressing in public.

It shall be unlawful for any person over the age of eight (8) years to dress or undress, either by changing from ordinary street clothes into bathing suits or from bathing suits into ordinary street clothes, while in any public place or while riding in any motor vehicle except recreational vehicles with entirely enclosed dressing rooms, upon or over the streets or sidewalks or on Dunedin Beach in the limits of the city or while such motor vehicle or wagon be parked upon any street or sidewalk or beach, within the limits of the city. (Code 1962, § 16-45)

Sec. 17-56. Reserved.

Sec. 17-57. Domestic animals running at large.

No person shall have or be permitted to have any dog, cat or other domestic animal on Dunedin Beach or in any park area at any time whether muzzled, leashed or not, provided

that dogs, cats or other domestic animals are permitted to remain in a parked vehicle in properly designated parking areas, but no domestic animal shall be permitted to run at large. (Code 1962, § 16-47)

Cross references—Animals and fowl, Ch. 5; running at large prohibited, §§ 5-2, 5-9.

Sec. 17-58. Permit required for fires; dropping inflammable materials.

No person shall build or attempt to build a fire on Dunedin Beach except in such areas under such regulations as may be designated by the fire chief and a permit therefor must be obtained from the city manager, fire chief or chief of police, or their deputies. No person shall drop, throw or otherwise scatter lighted matches, burning cigarettes, cigars, tobacco paper or other inflammable material on Dunedin Beach or within any park area in the City of Dunedin. (Code 1962, § 16-48)

Cross reference—Fire protection and prevention, Ch. 9.

Sec. 17-59. Entering posted areas.

No person shall enter an area on Dunedin Beach posted as "Closed to the public" nor shall any person use or abet the use of any area in violation of posted notices. (Code 1962, § 16-49)

Sec. 17-60. Sleeping and disorderly conduct.

No person shall at Dunedin Beach sleep or protractedly lounge on the seats or benches or other areas or engage in loud, boisterous, threatening, abusive, insulting or indecent language or engage in any disorderly conduct or behavior tending to a breach of the public peace. (Code 1962, § 16-50)

Cross reference—Disorderly conduct generally, § 16-12.

Sec. 17-61. Defacing property.

It shall be unlawful for any person to wilfully mark, deface, disfigure, injure, tamper with or displace or remove any buildings, bridges, tables, benches, fireplaces, railings, paving

or paving material, water lines or other public utilities or parts or appurtenances thereof, signs, notices or placards, whether temporary or permanent, monuments, stakes, posts or other boundary markers or other structures or equipment facilities or property or appurtenances whatsoever, either real or personal. (Code 1962, § 16-51)

Cross references—Defacing private property prohibited generally, § 16-21; defacing public property generally, § 16-22.

Sec. 17-62. Digging or excavating.

It shall be unlawful for any person to dig or remove any beach sand, whether submerged or not, or any soil, rocks, stones, trees, shrubs or plants, down-timber or other wood or materials or make any excavation by tool, equipment, blasting or other means or agency upon Dunedin Beach. (Code 1962, § 16-52)

Sec. 17-63. Construction of building or utility service; permit required.

It shall be unlawful for any person to construct or erect any building or structure of whatever kind, whether permanent or temporary in character, or run or string any public service utility into, upon or across Dunedin Beach, except on special written permit issued hereunder. (Code 1962, § 16-53)

Sec. 17-64. Damaging or impairing natural beauty of beach.

It shall be unlawful for any person to damage, cut, carve or transplant any tree or plant or injure the bark or pick the flowers or seeds of any tree or plant on Dunedin Beach. Nor shall any person attach any rope, wire or other contrivance to any tree or plant. No person shall dig in or otherwise disturb grass areas or in any way injure or impair the natural beauty or usefulness of Dunedin Beach. (Code 1962, § 16-54)

Sec. 17-65. Dumping or littering.

It shall be unlawful for any person to bring in or dump, deposit or leave any bottles, broken glass, ashes, paper, boxes, cans, dirt, rubbish, waste, garbage or refuse or other trash on

Dunedin Beach. No such refuse or trash shall be placed in any waters contiguous to Dunedin Beach or left anywhere on the grounds thereof, but shall be placed in the proper receptacles where these are provided. Where receptacles are not provided, all such rubbish or waste shall be carried away from Dunedin Beach by the person responsible for its presence and properly disposed of elsewhere. (Code 1962, § 16-55)

Sec. 17-66. Obeying traffic officers and beach employees.

It shall be unlawful for any person to fail to obey all traffic officers and beach employees, such persons being hereby authorized and instructed to direct traffic wherever and whenever needed on Dunedin Beach and on the highway, streets or roads immediately adjacent thereto, in accordance with the provisions of these regulations. (Code 1962, § 16-57)

Sec. 17-67. Obedience of traffic signs.

It shall be unlawful for any person on Dunedin Beach to fail to observe all traffic signs indicating speed, direction, caution, stopping or parking and all others posted for proper control and to safeguard life and property. (Code 1962, § 16-58)

Sec. 17-68. Driving on designated areas only.

It shall be unlawful for any person to drive a vehicle on Dunedin Beach except on paved roads or parking areas or such areas as may be designated as temporary parking areas by the city manager or chief of police. (Code 1962, § 16-59)

Sec. 17-69. Parking in prohibited area or manner.

It shall be unlawful for any person to park a vehicle on Dunedin Beach in other than an established or designated parking area. Such use shall be in accordance with the posted directions thereat, and with the instructions of any attendant or police officer who may be present. (Code 1962, § 16-60)

Sec. 17-70. Swimming at prohibited times or in prohibited waters.

It shall be unlawful for any person on Dunedin Beach to swim, bathe or wade in any waters or waterways in or adjacent to Dunedin Beach except in such waters and at such places and during such hours as are provided therefor and in compliance with such regulations as are herein set forth or may hereafter be adopted; nor shall any person frequent any waters or places customarily designated for the purpose of swimming or bathing nor congregate thereat when such activity is prohibited by the city manager upon a finding that such use of the water would be dangerous or otherwise inadvisable. (Code 1962, § 16-64)

Sec. 17-71. Permit required for camping or leaving camping equipment on beach after 11:00 P.M.

No person shall on Dunedin Beach set up tents, shacks or any other temporary shelter for the purpose of overnight camping without first obtaining therefor the permit from the city manager or chief of police, or their designated deputies, nor shall any person leave at Dunedin Beach after 11:00 p.m. any movable structure or special vehicle to be used or that could be used for such purpose, such as house trailer, camp trailer, camp wagon or the like, without first having obtained a permit therefor from the chief of police or the city manager, or their designated deputies. (Code 1962, § 16-66)

Sec. 17-72. Games involving thrown or propelled objects outside or recreation areas; prohibited.

No person shall take part in or abet the playing of any games involving thrown or other propelled objects such as balls, stones, arrows, javelins or model airplanes, except in areas set apart for such forms of recreation. (Code 1962, § 16-67)

Sec. 17-73. Permission required for being on beach between midnight and 5:00 A.M.

Dunedin Beach shall be closed to the use of or by any person between the hours of 12:00 midnight and 5:00 a.m. of the following day and it shall be unlawful for any person to go

upon or use or loiter, stand, idle, wander, stroll or play in or upon such Dunedin Beach during or between such hours, unless there is first obtained written permission from the city manager or chief of police, or their deputies. (Code 1962, § 16-68)

Sec. 17-74. Swimming nude.

It shall be unlawful for any person to come upon or be on Dunedin Beach or to use the waters adjacent thereto either in daytime or at night while nude. (Code 1962, § 16-70)

Sec. 17-75. Obscene or abusive language or gestures.

It shall be unlawful for any person to use any abusive, obscene or indecent language or gesture or make threats of violence while in the City of Dunedin. (Code 1962, § 16-71)

Sec. 17-76. Creating public disturbance on beach.

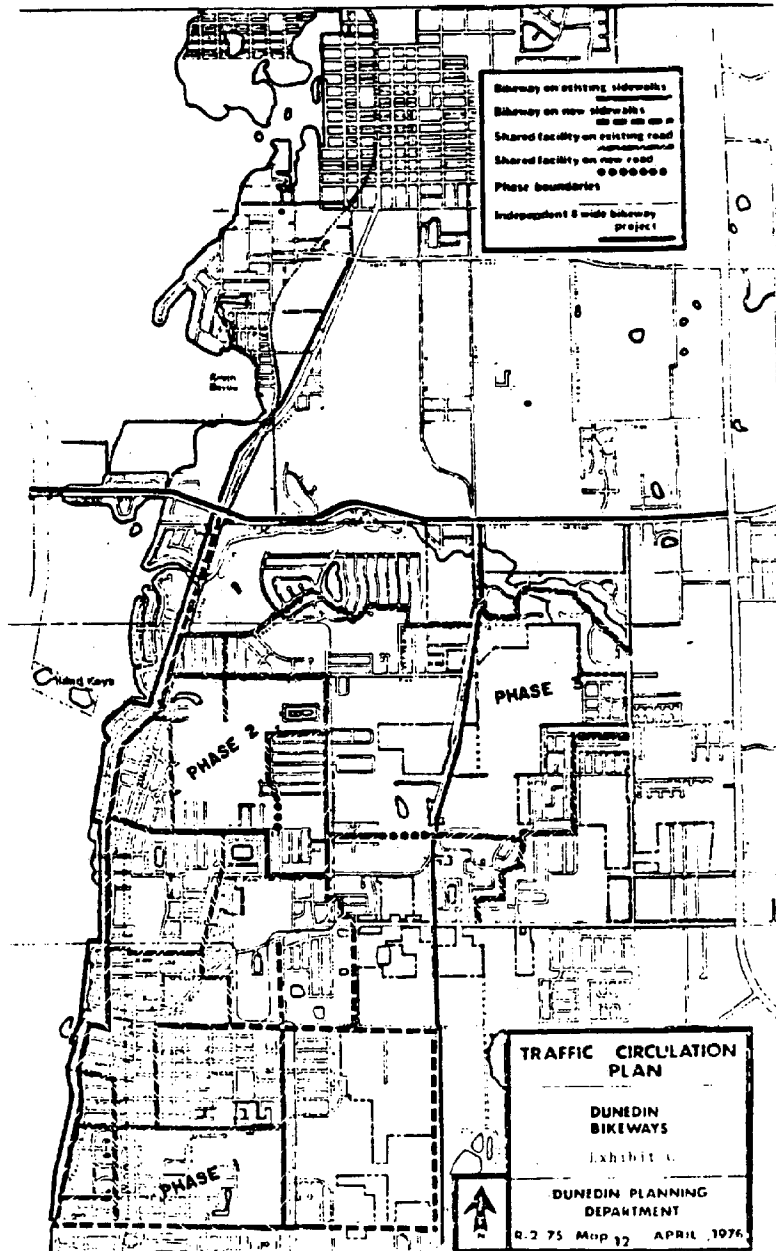
It shall be unlawful for any person to come upon Dunedin Beach when same is being used by members of the public and individually or in concert with others do any act or create any condition which does or is calculated to encourage, aid, abet or start a riot, public disorder or disturbance of the peace, and it shall not be necessary to prove that such person was solely responsible for such public disorder, but only that his or her appearance, manner, conduct, attire, condition, status or general demeanor was the motivating factor that resulted in the disturbance of the peace. Any such person who refuses when commanded by a police officer of the city to leave Dunedin Beach immediately shall be guilty of an offense for refusal to obey the order or command of a police officer and deemed to be a rioter or disturber of the peace. (Code 1962, § 16-72)

Sec. 17-77. Penalty for violation.

Any person convicted of violating any of the provisions of this article shall be punished by a fine not to exceed five hundred dollars (\$500.00) or imprisonment for a term not exceeding sixty (60) days or by both such fine and imprisonment. (Code 1962, § 16-73)

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DUNEDIN CODE



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